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EDITED BY  
K. G. DAVIES



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## PREFACE

THE entire volume, introduction, text and index is the work of Mr. K. G. Davies, M.A., Fellow of New College, Oxford.

S. S. WILSON.

PUBLIC RECORD OFFICE,  
*May, 1962*



## INTRODUCTION

This volume contains 662 principal abstracts and a further 357 documents which were enclosures to correspondence. Thus, although the period covered is shorter (one year instead of eighteen months) the number of papers noticed is about half as great again as in the previous volume. While growing apprehensions of hostile Spanish action may have generated a few more documents in 1737 than in 1736, this increase is not in general accounted for by a growth of colonial business. It is due to the inclusion in this volume of certain classes of records previously omitted.

The most important innovation is the inclusion of the records of the colony of Georgia, which begin in 1732. They were omitted from earlier volumes, presumably on the ground that Georgia was at its inception and until the surrender of the charter a proprietary colony: as such, its records were deemed to be private not public. Papers relating to Georgia in the archives of the Commissioners of Trade and Plantations and the Secretary of State are of course public records in the fullest sense and were included in Volumes XL, XLI and XLII of the Calendar; but the domestic papers of the Trustees for Georgia (including all correspondence between themselves and the colony) were excluded.

The decision to admit the Georgia records to the Calendar from 1737 onwards has been taken for two reasons. In the first place, although Georgia was indeed a proprietary colony, its domestic records are physically present in the Public Record Office while those of other proprietary colonies are not. The Georgia records were undoubtedly private archives down to 1752, when the charter was surrendered, but it is equally clear that they are public records now. The case for excluding them, as a separate archival group, is not therefore very strong.

On the other hand, the historical relationship of Georgia to other colonies and to the wider themes of colonial history argues cogently for the inclusion of these records. This is especially so in the years before the outbreak of war in 1739. Apart from Gibraltar, Georgia was the only land-frontier between British and Spanish possessions; Spain did not recognize the existence of the new colony on land over which she claimed sovereignty. As early as 1737 there were widespread apprehensions of an attack upon Georgia from Florida. (See, for example, index to the present volume under Georgia, Foreign Relations; South Carolina; Spain and the Spaniards) It is an obvious convenience to the historian that these expressions of anxiety in and about Georgia should be calendared and indexed in a volume which also contains material illustrating the fear of Spanish aggressions in Jamaica, the Bahamas and the British West Indian colonies generally.

The decision to include the Georgia records adds greatly to the number of papers in this volume. Of the 662 principal abstracts, 277 derive from the correspondence, minutes and memorials of the Georgia Society. Inevitably some of these papers have a less general historical significance than those of long-established crown colonies. But the domestic *minutiae* of Georgia may be expected to diminish in later volumes.

Other records which have been omitted, at least from recent volumes in the series, and are now included are the Colonies, General, Entry Books (C.O. 324/12, 37, 49, 50).

These contain entries of warrants, commissions, licences of absence to governors and some letters. Abstracts from a register of grants of land in South Carolina (C.O. 5/398) are printed as an appendix to this volume. And, for the first time, the Naval Officers' lists of shipping are included (Appendix III) in summary form. These lists, as is explained in a prefatory note to the appendix, contain much more information than can be conveniently printed: they are an important source of statistical data for the shipping and trade of the British empire. Unfortunately they have not survived for all colonies.

These are the principal additions to the scope of the Calendar. In accordance with long-established practice the classes known as 'Acts' and 'Sessional Papers' have been omitted. The former are the Acts of colonial legislatures. In practice titles of Acts are always mentioned in the correspondence of the governor of the colony concerned, the Commissioners of Trade and Plantations, or the legal adviser to the Commission whose task was to pass upon the validity of colonial legislation. The Calendar serves therefore as a guide to colonial Acts, but no more. 'Sessional Papers' are the journals and minutes of colonial assemblies and councils: these were printed in early volumes of the Calendar but proved to be so bulky as to impede the progress of the series. Since the volume for 1704-5 they have been omitted. Occasionally governors of colonies, wishing to draw the particular attention of the British government to proceedings in the assembly or council, enclosed extracts of those proceedings: these are briefly noticed in the present volume.

This series began as a calendar in which many of the original documents were printed in a drastically abridged form. Much of the first volume is little more than a descriptive list. In later volumes the calendaring became fuller, and under the editorship of Mr. Cecil Headlam and Professor A. P. Newton grew into a transcript of the more important documents or at least of the more important passages in them. The original spelling and language were preserved, omissions being indicated by such conventions as *Continues*, *etc.*, and so on. This volume does not mark a return to the principles of compilation with which the series began: the present state of knowledge of British colonial history, the amount of material already published in one form or another, and the existence of means of reference such as C. M. Andrews and F. G. Davenport, *Guide to the Manuscript Materials for the History of the United States to 1783*, all argue for a full calendar and index rather than a descriptive list. Nevertheless, the series has once again become a calendar; that is, it does not purport to reproduce the original document or the language of any part of it. It is a guide to the substance of the document. If, in the opinion of the editor, this substance is of sufficient historical importance, a full abstract has been made. In general, all original correspondence of colonial governors has been so regarded, as have entries of out-letters from the Commissioners of Trade and Plantations and drafts of letters from the Secretary of State. But even where a full abstract has been made of such documents, the original spelling, use of capitals, and paragraphs have been modernized; and the conventional forms of address and acknowledgement at the beginning of a letter and the protracted valedictory matter at the end have been abridged. The intention has been to communicate the whole of the substance of the document, but those who seek the original wording must refer to the manuscript.

Enclosures, with some exceptions, have been abridged. Where, for example, an affidavit is fully summarized in the covering letter, only a brief description has been given. Accounts of colonial revenues are often extremely bulky and detailed and could not be printed without an unjustifiable expenditure of space: in the present volume, they are noticed and briefly described with some indication where appropriate of the balance brought forward, total revenue and expenditure for the period, and the balance



carried forward. Formal documents such as orders of the Privy Council, orders of the Committee of Council for Plantation Affairs, commissions and instructions to governors, have been much abridged. Orders present no difficulty to an editor: their essence is generally contained in a few words or at most a few lines. Instructions to governors by this date are very long and almost common in form. Departures from instructions to previous officials always receive particular mention in the Commissioners' covering letter. Drastic abridgement has therefore been made. The instructions to the Earl of Albemarle, Governor of Virginia (No. 570ii), extend over 117 pages in the relevant entry-book. In the Calendar they receive two lines together with a covering letter (No. 570i) which explains the single departure from common form which had been made. The form of these instructions and their evolution may be studied in L. W. Labaree (editor), *Royal Instructions to British Colonial Governors, 1670-1776*, 2 vols. (1935).

Apart from the general indications just given, a rough guide to the degree of abridgement applied to a particular document may be obtained by comparing the length of an abstract with the number of pages covered by the manuscript. This is given at the end of each abstract and is accurate to the nearest quarter of a page: a distinction is made between pages (of folio size), large pages and small pages. Thus, President Gregory's letter of 5 January 1737 (No. 4) covers two pages of manuscript and thirty-eight lines in the present volume; this has been calendared fully. On the other hand, the licence of absence of 20 October to Governor Fitzwilliam (No. 545) fills one page of an entry-book and is here reduced to less than two lines.

The index to this volume, while not departing from the broad principles of official practice, incorporates certain features peculiar to the institutions and geography of colonial government. The user is advised to consult the foreword on pp. 329-330.

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The practice of commenting upon events and documents of outstanding interest in each colony has been followed in the Introductions to many volumes of this series. In Volume XLII for 1735-36, this method was abandoned in favour of a brief discussion of one major topic, Anglo-French rivalry in America and the West Indies and the fears and reactions which it inspired. The intention was to illustrate this theme from the documents which followed in such a way as to amplify and supplement the index. This practice is continued in the present Introduction.

Anglo-French rivalry, economic and otherwise, predominated in 1735 and 1736. In 1737 it was of course still present and still important. But negotiations were proceeding to settle outstanding disagreements, at least those deriving from the French Edict of 1727 and the Montserrat Act of 1736 (see index to this volume, France and the French); an understanding looked to be possible. Expressions of alarm at French power, though not lacking, are less frequent. Quite suddenly, fear of Spain replaced, or at least became more immediate and urgent than, fear of France. In the last Introduction attention was called to the absence of evidence of activity by Spanish *guardacostas* in the documents for 1736 (*Cal. S.P. Col.*, 1735-36, p. xxiii). With the exception of the *Mercury* of New Providence, taken in June 1735, there was little to report. In the present volume, however, evidence multiplies rapidly of Spanish attacks on British shipping and of reactions to these attacks in Britain and the colonies.

This evidence, though not entirely precise, suggests that the Spanish campaign (for such it was taken to be) was intensified in the autumn of 1736, re-opened in the following

spring, and continued through the summer of 1737. The following is a list of references in the present volume to the fruits of these activities:

| <i>Date of Capture</i> | <i>No. of Document</i> | <i>Ship</i>   |
|------------------------|------------------------|---|
| 1736                   | 1                      | two sloops of Rhode Island (one released);<br>one sloop of New York   |
| 29 Aug. 1736           | 92vi, 92viii           | <i>Free Mason</i> of Jamaica, Capt. Jacob Phenix                      |
| about 4 Sept. 1736     | 20i                    | <i>Fanny</i> of Antigua, Thomas Nanton, master                        |
| about 9 Sept. 1736     | 20i                    | a sloop of Nevis  |
| 12 Sept. 1736          | 92v, 92vii             | <i>Wheel of Fortune</i> of Rhode Island, Roger Maddox, master         |
| 1736                   | 20                     | a sloop in passage from Carolina to Barbados,<br>Higginbottom, master |
| 1736                   | 20                     | a sloop of Anguilla, bound for Rocas                                  |
| 24 Mar. 1737           | 425                    | <i>Prince William</i> , Capt. John Kinselagh                          |
| 12 May 1737            | 395i                   | <i>St. James</i> of Bristol, James Curtis, commander                  |
| 21 May 1737            | 595ii-iii              | <i>George</i> , Capt. Henry Weare                                     |
| June 1737              | 408i                   | <i>Hopewell</i>   |
| 5 Aug. 1737            | 595i, 595iii           | <i>Loyal Charles</i> , Capt. Benjamin Way                             |
| about 5 Aug. 1737      | 595i, 595iii           | <i>Dispatch</i> , Capt. Phillip Dellamotte                            |

Some of these ships being unnamed, there is more than a possibility of overlap. The *Wheel of Fortune*, for instance, may well be one of the Rhode Island sloops mentioned in Samuel Eveleigh's letter of 3 January (No. 1). Even so, if these reports are to be trusted, an impressive number of British ships were taken by the Spaniards between August 1736 and August 1737.

Their crews suffered some hardship. The six white men on the *Fanny*, so it was asserted in a sworn statement by one of them, were whipped by their captors and marooned (No. 20i). The son of the owner of the *Hopewell* was shot in the back, though not it appears mortally (No. 408i). The crews of the *Wheel of Fortune*, *Free Mason* and other ships were detained in Havana; Jacob Phenix, master of *Free Mason*, was imprisoned in irons (Nos. 92v-viii). In August 1737, according to a statement of Captain Benjamin Way, there were sixty British prisoners at Havana, though the Spaniards do not seem to have been zealous in preventing escapes (No. 595i). The gravest charge of ill-treatment in the present volume was, however, in respect of the captain of a Dutch

vessel. William Fisher, in an affidavit of 13 November 1736, deposed that the Spaniards had cut off the captain's right hand, broiled it, and compelled the Dutchman to eat it (No. 201). Several other documents suggest that the *guardacostas* were active against Dutch shipping equally with British (Nos. 1, 339, 488, 595ii).

Little can be learned from these documents of the pretexts for seizure. *Prince William* carried Braziletta wood from Providence; *Loyal Charles* had twenty tons of logwood; *George* had gold and silver on board; and *Hopewell*, when taken, was in the act of loading with fustick at Crab Island. It is no surprise that British captains were reticent on the subject of contraband, or alternatively protested their innocence.

News of the activities of the *guardacostas* was slow to reach London. Thus the *Fanny* was taken early in September 1736: her crew were put ashore on Salt Island and taken off by a Dutch ship. William Fisher's affidavit reporting the event was sworn at Antigua on 13 November, but not dispatched by Governor Mathew until 17 January following. It was received at the office of the Commissioners of Trade and Plantations on 18 March 1737 and read by them on 22 March, nearly seven months after the capture. This long delay is attributable in part to the winter season which held up sailings; unofficial advice may have come through more quickly.

As a consequence of these delays, the British Parliament took little account of the *guardacostas* in its session of 1737. In the previous year the matter had been before the House of Commons and papers presented relating to losses sustained by British subjects since 1725 (L. F. Stock, editor, *Proceedings and Debates of the British Parliaments respecting North America*, Washington, D.C., 1937, Vol. IV, p. 275). But in the session which began on 1 February 1737 and closed on 21 June, that part of parliamentary time given to colonial matters was devoted principally to an enquiry into the manufacture of iron in the American colonies (*Ibid.*, p. 316 *et seq.*). A petition was received by the House of Commons on 16 March from the owners of the *Anne* galley, but this ship had been taken by the Spaniards as long ago as 1728 (*Ibid.*, pp. 324-326).

Reactions to Spanish aggression are not, however, absent from this volume. The Commissioners of Trade and Plantations represented recent events to the Duke of Newcastle at the end of August (No. 481), and papers were sent to Benjamin Keene, British minister at Madrid (Nos. 481i-iii, 540). Nevertheless, there is nothing to show that the British Government was pressing the case with a force or urgency to match the indignation of the City of London. Included in the present volume is the petition presented to the king on 13 October 1737, protesting at Spanish seizures and the inhuman treatment of British crews (No. 540). This document was signed by 151 persons collectively described as 'merchants and planters in behalf of themselves and others trading to and interested in the British colonies in America'. Another mass protest was launched in November by the merchants of Kingston, Jamaica (Nos. 581i, 595iii): this was provoked by the seizure of the *Loyal Charles*, *George* and *Dispatch*, all laden in Jamaica and bound for Great Britain when taken. It bore twenty-seven signatures.

Resentment at the depredations of the *guardacostas* was added to the apprehension that Spain was about to attack one of the British possessions in America. Georgia was commonly expected to be the victim, though the Bahamas were also mentioned as a possible target (Nos. 92, 92iv-viii). Early in the year there were reports of troop-movements made or to be made by the Spaniards. Five hundred soldiers were expected at St. Augustine in Florida, the obvious base for an invasion of Georgia (Nos. 1, 57). Some reinforcement of this garrison does seem to have taken place. Abraham Kipp, who was at St. Augustine in February and March 1737, reported that within the past year two companies of soldiers had arrived there, bringing the total force to about four hundred (No. 211v).



Such an augmentation of the garrison at St. Augustine scarcely threatened Georgia's integrity. Nevertheless, alarming rumours were reaching the British authorities from Havana. These began with Leonard Cocke's letter of 26 November 1736 to Commodore Digby Dent at Jamaica (*Cal. S.P. Col.*, 1735-36, No. 469). This somewhat illiterate communication hinted broadly at a Spanish design to attack Georgia, using Indians as auxiliaries and proclaiming freedom for British-owned slaves (presumably those of South Carolina) who joined the invaders. It reached Jamaica on 23 December and copies were sent early in January to the authorities of Georgia and South Carolina (Nos. 57, 57i-ii, 70iii). British prisoners detained at Havana and letters from the South Sea Company's factor added colour to the story (Nos. 92i-viii). Several sailors went so far as to indicate March 1737 as the date for the attack, though they were not clear whether Georgia, the Bahamas, or both were to be invaded.

Much of this was rumour, much exaggeration. That the Spaniards had any intention of attacking Georgia or any other colony in 1737 is very unlikely indeed. Nevertheless, the curious story of John Savy *alias* Colonel Miguel Wall suggests that they may already have had plans to invade Georgia in the further future. By his own accounts (Nos. 588i-ii), Savy was an early emigrant to Georgia who had also lived in Charleston, South Carolina, where he was known as 'a man well stocked with impudence... yet of very little courage or conduct' (No. 168iv). He left America in 1735 and entered the service of Spain. Commissioned under the name of Miguel Wall, he was sent to Havana in order to act as guide to a Spanish force which was to invade Georgia in or before May 1738 (No. 588ii). Savy arrived at Havana on 28 October 1736 and lost no time in revealing his mission, when drunk, to Leonard Cocke (*Cal. S.P. Col.*, 1735-36, No. 469). Again drunk, he confided his plans to Henry Weltiden (No. 92iii). Thus it was the ramblings of this renegade sot that alerted the British colonies to their supposed peril, set in train a flurry of papers, caused the movement of several of H.M. ships, and perhaps helped to bring about the decision to dispatch a regiment of British troops to the defence of Georgia. Later in 1737, though how and why does not appear, Savy turned up in Lisbon and surrendered himself to the British. He was in England in November, protesting that all he had done was only in order to discover the Spanish secrets (No. 588ii).

Reactions in the British colonies were varied. The settlers in Georgia undoubtedly felt themselves in imminent danger. Men able to bear arms were mustered (No. 108ii) and exercised, time and labour diverted to the building of a fort at Savannah. The fort, it can be deduced from John Brownfield's letter of 10 February and other evidence, was a peculiarly futile operation (No. 72): while protecting Savannah from the north, it left the town 'in the utmost danger should they attack us on the east, west or south side', and it attracted adverse criticism from the Trustees for Georgia (No. 453). Thomas Causton, Chief Bailiff of Georgia, excused his action by reference to the necessity of keeping up morale (No. 108).

South Carolina also took the rumours seriously, as is shown by Lieut.-Governor Broughton's letter of 4 February (No. 70i). Measures were taken to help Georgia in the event of an attack, though concerted action between the two colonies was hampered by their disagreements over Indian trade: this bad feeling is reflected in the exchanges of letters between Broughton and Causton in February (Nos. 70i-ii, 98, 108i-ii). Even in Charleston, however, there were those who questioned the seriousness of the danger. The uncertainty is mirrored in letters written by two correspondents of the Georgia Society. On 5 March Paul Jenys wrote to Harman Verelst that he was inclined to believe that no act of hostility would be committed (No. 127). Less than a fortnight later, on 18 March, Samuel Eveleigh advised Thomas Causton that 'it is here generally

believed that a body of Spaniards will march from St. Augustine by land in order to attack your colony' (No. 168iv).

According to Captain Gascoigne, R.N., commander of H.M.S. *Hawk*, the alarm was at its height at the beginning of April (No. 345). About that time the governor of Virginia reported that the station-ship of that colony, H.M.S. *Seahorse*, was fitting out to sail to the south (No. 146), which she did at the end of March (No. 292). Governor Gooch himself hoped that the reports from Havana were 'only a Spanish bravado to intimidate the people of Georgia from prosecuting their settlements', and in May he wrote that he had never believed in the design (No. 292). Still further to the north, H.M.S. *Tartar*, Captain Norris, R.N., station-ship of New York, was alerted (No. 184), but it does not appear that she proceeded to Georgia. Even without *Tartar*, however, the Royal Navy had produced at short notice a fairly creditable show of force, sufficient anyway to provoke the governor of St. Augustine to injured protest (No. 168vi).

Almost as suddenly as the alarm had been taken up, saner counsels began to prevail. On 20 May Paul Jenys wrote from Charleston that there was then no apprehension of invasion (No. 304); on 15 June Captain Gascoigne reported that all was quiet at St. Augustine and that H.M.S. *Rose* and *Shark* had returned to Carolina (No. 345); and on 15 July Lieut.-Governor Broughton advised that the forces raised in South Carolina had been discharged (No. 406). At the very end of the year, South Carolina was once again apprehensive (Nos. 604, 648), but this fresh alarm belongs more properly to the next volume.

Two papers are printed in the present volume which appraise the possibilities in a cooler spirit than those originating in the colonies. James Oglethorpe's memorandum (No. 209) of April 1737 assumes the truth of rumours of Spanish preparations at Havana and St. Augustine, and calls for the dispatch of a regiment of 700 men to Georgia together with naval reinforcements. The other paper (No. 210) has an endorsement stating that it was received from Sir Charles Wager. It scouts the possibility of an invasion of Carolina and attributes the reinforcement of St. Augustine to the Spaniards 'being perhaps more afraid of us than we are of them, or at least as much'. Naval forces in the area or on call were considered adequate.

Oglethorpe's arguments were to win the day. In June the Trustees for Georgia petitioned Sir Robert Walpole (No. 363); in August Oglethorpe produced another memorandum on the same lines as his paper of April (No. 465); and on 10 October the Georgia Society was able to inform its chief bailiff that the regiment had been ordered, that 300 men would soon arrive, and that Oglethorpe himself had been appointed captain-general and commander-in-chief of all H.M.'s forces in Carolina and Georgia (No. 522).



# List of Records from which this volume has been compiled

## *America and West Indies:*

|  |            |
|--|------------|
| Original Correspondence, Secretary of State, 1733-48 .. ..   | C.O. 5/5   |
| Original Correspondence, Secretary of State, Massachusetts, New Hampshire, Rhode Island, 1710-52 .. .. | C.O. 5/10  |
| Entry Book of Commissions and Instructions, 1734-38 .. ..  | C.O. 5/196 |

## *North Carolina:*

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| Original Correspondence, Board of Trade, 1736-40 .. ..        | C.O. 5/295 |
| Original Correspondence, Secretary of State, 1702-48 .. ..    | C.O. 5/306 |
| Entry Books of Commissions, Instructions, etc., 1730-54 .. .. | C.O. 5/323 |

## *South Carolina:*

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| Original Correspondence, Board of Trade, 1737-38 .. ..         | C.O. 5/366 |
| Original Correspondence, Board of Trade, Drafts, 1722-74 .. .. | C.O. 5/381 |
| Original Correspondence, Secretary of State, 1737-43 .. ..     | C.O. 5/384 |
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| Entry Book of Commissions, Instructions, etc., 1730-39 .. ..   | C.O. 5/401 |
| Shipping Returns, 1736-44 .. ..                                | C.O. 5/510 |

## *Georgia:*

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| Original Correspondence, Board of Trade, 1735-37 .. ..  | C.O. 5/639 |
| Original Correspondence, Board of Trade, 1737-41 .. ..  | C.O. 5/640 |
| [These two volumes are so described in the list of Colonial Office records, <i>Lists and Indexes</i> , No. XXXVI. In fact, they are the in-<br>letters of the Trustees for Georgia] |            |
| Original Correspondence, Secretary of State, 1735-41 .. ..  | C.O. 5/654 |
| Entry Book of Letters from Trustees, 1736-40 .. ..  | C.O. 5/667 |
| Entry Book of Grants of Land, Instructions, Petitions, etc., 1732-40  | C.O. 5/670 |
| Journal of Trustees for Georgia, 1732-37 .. ..  | C.O. 5/686 |
| Journal of Trustees for Georgia, 1737-45 .. ..  | C.O. 5/687 |
| Minutes of Council of Trustees, 1736-41 .. ..   | C.O. 5/690 |

## *Maryland:*

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| Original Correspondence, Secretary of State, 1704-40 .. .. | C.O. 5/720 |
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## *Massachusetts (see also New England):*

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| Original Correspondence, Secretary of State, 1714-40 .. .. | C.O. 5/752 |
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### *New England:*

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| Original Correspondence, Board of Trade, 1736-37 .. ..                             | C.O. 5/879 |
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| Original Correspondence, Board of Trade, Drafts, 1688-1774 ..                      | C.O. 5/896 |
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| Entry Book of Instructions, Board of Trade Correspondence etc.,<br>1731-41 .. .. . | C.O. 5/917 |

### *New Jersey:*

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| Original Correspondence, Board of Trade, 1734-43 .. ..                                       | C.O. 5/973  |
| Original Correspondence, Secretary of State, 1697-1740 .. ..                                 | C.O. 5/980  |
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### *Proprieties:*

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| Original Correspondence, Secretary of State, 1694-1745 .. ..                                 | C.O. 5/1337 |
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| Shipping Returns, 1736-53, James River and Port Hampton ..                                   | C.O. 5/1446 |

### *Bahamas:*

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| Original Correspondence, Board of Trade, 1731-37 .. ..                                       | C.O. 23/3  |
| Original Correspondence, Board of Trade, 1736-43 .. ..                                       | C.O. 23/4  |
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| Entry Book of Commissions, Instructions, Board of Trade Corre-<br>spondence, 1717-42 .. .. . | C.O. 24/1  |
| Shipping Returns, 1721-51 .. .. .  | C.O. 27/12 |



*Barbados:*

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| Original Correspondence, Board of Trade, 1734-37 .. .. .                                | C.O. 28/24 |
| Original Correspondence, Board of Trade, 1737-42 .. .. .                                | C.O. 28/25 |
| Original Correspondence, Secretary of State, 1729-41 .. .. .                            | C.O. 28/45 |
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1734-47 .. .. . | C.O. 29/16 |
| Shipping Returns, 1728-53 .. .. .   | C.O. 33/16 |

*Bermuda:*

|   |            |
|---|------------|
| Original Correspondence, Board of Trade, 1727-37 .. .. .                                | C.O. 37/12 |
| Original Correspondence, Board of Trade, 1737-40 .. .. .                                | C.O. 37/13 |
| Original Correspondence, Secretary of State, 1703-45 .. .. .                            | C.O. 37/26 |
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| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1723-48 .. .. . | C.O. 38/8  |
| Shipping Returns, 1715-37 .. .. .   | C.O. 41/6  |

*Jamaica:*

|   |             |
|---|-------------|
| Original Correspondence, Board of Trade, 1735-38 .. .. .                                | C.O. 137/22 |
| Original Correspondence, Secretary of State, 1735-77 .. .. .                            | C.O. 137/48 |
| Original Correspondence, Secretary of State, 1736-40 .. .. .                            | C.O. 137/56 |
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1734-43 .. .. . | C.O. 138/18 |

*Leeward Islands:*

|   |             |
|---|-------------|
| Original Correspondence, Board of Trade, 1735-37 .. .. .                                | C.O. 152/22 |
| Original Correspondence, Board of Trade, 1736-40 .. .. .                                | C.O. 152/23 |
| Original Correspondence, Secretary of State, 1721-49 .. .. .                            | C.O. 152/40 |
| Original Correspondence, Secretary of State, 1734-45 .. .. .                            | C.O. 152/44 |
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1735-47 .. .. . | C.O. 153/16 |

*Newfoundland:*

|   |             |
|---|-------------|
| Original Correspondence, Board of Trade, 1735-40 .. .. .                                | C.O. 194/10 |
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1719-41 .. .. . | C.O. 195/7  |

*Nova Scotia:*

|   |             |
|---|-------------|
| Original Correspondence, Board of Trade, 1732-37 .. .. .                                | C.O. 217/7  |
| Original Correspondence, Board of Trade, 1736-43 .. .. .                                | C.O. 217/8  |
| Original Correspondence, Secretary of State, 1702-44 .. .. .                            | C.O. 217/31 |
| Original Correspondence, Secretary of State, 1730-46 .. .. .                            | C.O. 217/39 |
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1720-49 .. .. . | C.O. 218/2  |

*West Indies:*

|  |             |
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| Original Correspondence, Board of Trade, 1734-40 .. .. . | C.O. 323/10 |
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*Colonies, General:*

|   |         |             |
|---|---------|-------------|
| Entry Book of Commissions, Instructions, Board of Trade Correspondence, 1733-49     | .. .. . | C.O. 324/12 |
| Entry Book of Grants and Warrants, 1736-49  | .. .. . | C.O. 324/37 |
| Entry Book of Commissions, Instructions, Warrants, Patents, Grants of Land, 1714-81 | .. .. . | C.O. 324/49 |
| Entry Book of Commissions, Instructions, Warrants, Patents, Grants of Land, 1728-51 | .. .. . | C.O. 324/50 |



Publications mentioned in the text and footnotes of this volume are abbreviated in the following forms:

|                                 |   |
|---------------------------------|---|
| <i>Arch. Maryland, XL</i>       | Archives of Maryland, XL, <i>Proceedings and Acts of General Assembly of Maryland, 1737-40</i> , edited by B.C. Steiner (Baltimore, 1921) |
| <i>A.P.C. (Colonial Series)</i> | <i>Acts of Privy Council</i> , Colonial Series  |
| <i>Cal. S.P. Col.</i>           | <i>Calendar of State Papers, Colonial, America and West Indies</i>  |
| <i>Egmont Diary, II</i>         | <i>Diary of First Earl of Egmont, II, 1734-38</i> , Historical Manuscripts Commission (1923)  |
| <i>Georgia Records</i>          | <i>The Colonial Records of Georgia</i> , compiled by A. D. Candler  |

# COLONIAL PAPERS

January 1737

1 [Samuel Eveleigh<sup>1</sup>] to James Oglethorpe. Last week arrived Capt. January 3. Wyatt from Havana and St. Augustine; the first he left about five South Carolina. months since and the last the 16th day of last month. He gives an account that the governor of St. Augustine had imprisoned six of the royal officers because they would not sign some accounts and papers that he had drawn up. Our newspapers mention a Spanish man-of-war to be sailed from Coruna with soldiers and ammunition bound to St. Augustine in September last, and Wyatt gives an account that it was a common discourse in St. Augustine that a Spanish man-of-war was expected with 500 soldiers and that the governor had actually built barracks that would contain that number, that the said man-of-war was to be stationed and to cruise off that place, and that she carries 50 guns. I am apprehensive that this man-of-war will be a very great prejudice to trade (especially to that of this place) and take several of our vessels that come through the gulf from Jamaica, Honduras and Providence. He further adds that (while he was at St. Augustine) several parcels of Indians came down thither pursuant to that governor's invitation and were very civilly treated; and when they went away he made each man a present of a gun, a blanket, powder and shot, with which they seemed to be very well pleased, and that he was informed that the number of Indians were in all from 100 to 150. He further adds that while he was at Havana there were three sail of men-of-war that had been built there fitting out from thence, vizt. of 84, 56 and 24 guns, the last was to serve as a *guardacosta* and was fitted out and went to sea. While he was at St. Augustine a sloop arrived there from Havana which brought an account that she was returned with four prizes, vizt. a large Dutch ship of 400 tons, a New York sloop that had on board some hides, and two sloops belonging to Rhode Island, one from the Bay with logwood, and the other from Jamaica on board of which they found nothing but rum, sugar and molasses, the produce of that island, and so dismissed her. The other three were condemned and the masters put into prison. I take notice that the *guardacosta* carried 9-pounders and 300 men whereas the guns belonging to our 20-gun ships are but 6-pounders and about 125 men. He also says that while he was at Havana<sup>2</sup> it was there confidently discoursed that they had orders to build 11 sail of men-of-war more, from 56 to 80 guns, and that they were then preparing to put three of them upon the stocks and that there was arrived from Old Spain several necessities for that intention. This I thought proper to advise you of that you may (if you think fit) acquaint the secretary of state therewith.

Here has lately been two large vessels cast away belonging to London bound from Jamaica home and richly laden, one off Winyah and the other to the southward of St. Augustine. That at Winyah has saved some part of her cargo consisting of several hogsheds of indigo, rum, piemento and ginger; the other saved nothing but their lives.

<sup>1</sup> Compare handwriting of letters at C.O. 5, 639, fo. 75 and C.O. 5, 654, fo. 97.

<sup>2</sup> 'Savannah' in MS.



Major Charles Russell, agent to the Cherokees, went hence 24th ult. to proceed for that nation. And upon Capt. Drake's refusal to go to the Creeks the general assembly nominated Childermas Crofts in his room and is speedily to proceed on that employ.

Capt. Keate arrived here some time since and brought in from the Trustees two barrels, one box and three tubs of bamboo canes directed to yourself which are put on board Capt. Demetry who was sent down by Mr. Causton. I have also put the greatest part of the duffels on board him with some pitch, tar, turpentine, beef and pork, and have wrote Mr. Causton that I would supply him with what necessaries he should further want and take in payment the Trustees' sola bills expected, notwithstanding some of my neighbours and others endeavour to discredit said bills. Elliot, the two Bellingers and others seem very much dissatisfied with their certified accounts and very much complain of their not being paid (according to their agreement) in currency. The first has offered (as I have been credibly informed) his account of fifteen hundred pounds for one thousand; but my son being gone that way, I have ordered him to call upon him to satisfy him and (if he found he was still uneasy) to buy the same.

Capt. Procter is come down from Frederica and makes a very great complaint and says that he agreed with you for 80*l.* per month for his pettiaugoa, but that they would not pay him more than 70 and that was paid him in sola bills at 8 for 1 by which he shall be a considerable loser. He likewise complains that they deducted for what was wanting of the beer when he carried it thither, though the cask were not full when he took them on board, and says that he will send his case home to his cousin Col. Horsey and desire him to lay the same before the Trustees.

I take care constantly to advise Mr. Causton of what is necessary, not only the news that occurs but the transactions of this place in relation to the Indian trade so far as they come to my knowledge. The sloop *Sarah*, John Colcock master, is bound again to Mobile; when she returns if anything of moment offers from that place I will write you. I cannot remember whether I have already advised you what Colcock informed me, that M. Bienville had wrote to France for 5 or 6000 regular troops.

I have given the Trustees credit in my new account for the 40*l.* sterling you gave Mr. Buttler to pay Capt. Campbell. I saw your letter to Mr. Jenys in relation to the sola bills and doubt not but I shall take such measures as will give them some credit notwithstanding the pains some people take to lessen the same. For I have wrote Mr. Causton that I would take them in payment for what goods I supply him with and also Mr. Grant my attorney to take them in payment for the debts due to me at Savannah; but it would have been much better if you had been here to endorse them, for I am sensible there will be but few merchants in this town who will take them without a very great discount, and do design to send them home to Messrs. Bakers and so pass my own bills on him, though I am obliged to pay commissions both for receiving and paying. *Duplicate. Unsigned.* PS. I have several packets of letters from Mr. Causton for the Trustees with two boxes directed to Mr. Dempsey and one chest to Mr. Tanner, which I shall forward by Capt. Piercy bound for London who will sail this week, the bearer Capt. Read being bound for Cowes and Holland. 4 *pp.* [C.O. 5, 639, *fos.* 105-106*d.*]

2

Alured Popple to Francis Wilks. The Council of Trade and Plantations

January 4.

find that in consequence of several Acts passed in Massachusetts for supplying the treasury, there was current at Christmas 1735 in bills of credit about 150,000*l.* As the permitting of bills to a greater value than 30,000*l.* to be current at one time is a manifest breach of H.M.'s 16th and 18th instructions to the governor, copy enclosed, I am to desire that if you have anything to offer to justify Mr. Belcher's conduct on this occasion you will bring the same in writing on Tuesday morning next. *Entry.*



PS. It appears that before Governor Belcher's arrival there was issued in 1727-29 68,000*l.* yet outstanding; and, since his taking on the government, in 1730-35 82,504*l.* 9*s.* 10*d.* more than are yet drawn in again. Total, 150,504*l.* 9*s.* 10*d.* 2 *pp.* [C.O. 5, 917, *fo.* 80, 80*d.*; draft in C.O. 5, 897, *fos.* 119-120*d.*]

3

[January 4.]  
January 15 (N.S.).  
Augsburg.

Samuel Urlsperger to Henry Newman. Eighteen persons lately arrived here from Salzburgh, forced to fly on account of the strange religion, as it is called, and Lutheran books; still more single persons who are banished arrive here. These and others are maintained at the Society's charge so that I have not above 10*l.* sterling left and shall soon want a new supply. The Prussian envoy has solicited for, obtained and sold 2000 estates in Salzburgh belonging to persons fled to Prussia and has remitted 40-50,000*l.* sterling to Prussia. If full details were available the same might be done for the Salzburghers in Georgia. In Carinthia the people are still much oppressed. The Salzburghers ask when there is to be a new transport: I can give no answer till I know that those at Ebenezer are firmly established and that the law that daughters may not inherit is altered, for which redress I beg once more. *Copy.* 2½ *pp.* [C.O. 5, 639, *fos.* 111-112*d.*]

4

January 5.  
Jamaica.

President John Gregory to Duke of Newcastle. An affair of some consequence has lately happened in these parts of which I think it my duty to give you the best information I have been able to get. It is reported that Mr. Mathew, the governor of the Windward Islands, having seized a French vessel of value upon pretence of some treaty which prohibits their coming within certain distances of his coast, the French have resented it and made reprisal upon a Guinea ship bound to this place; and not content with this a French man-of-war lately attacked two merchantmen laden in this island homeward bound as they lay in Donna Maria Bay. It happened Capt. Bridge, commander of H.M.S. *Antelope*, was there and seeing the insult demanded the reason. The French captain answered he was lately come from Old France with 500 recruits and having touched at Martinique was there informed of Mr. Mathew's proceedings, and therefore thought himself justified in what he did; however, he desisted. Upon Capt. Bridge's return to this place the matter was publicly talked of; and not hearing anything of it from him or Commodore Dent who commands on this station, I wrote to Capt. Bridge desiring it as a favour from him that he would send me a state of the affair upon oath, for I thought it of that consequence that I would transmit it to you. Capt. Bridge not answering my letter in some days, I applied to the commodore: copies of relevant letters enclosed. It seems what I have done has given offence, though it was very far from my intentions: I thought this affair might prove a national concern and that it was my duty to represent it in the strongest and truest light and that none could better enable me to do so than those that were actually concerned. I was at first at a loss to know what part of my letter could be taken amiss, but that has been since a little explained to me: an information upon oath was not so agreeable nor was it perhaps so convenient the whole fact should appear. If what I hear reported be true Capt. Bridge was not at Donna Maria Bay so much by accident as by a concerted design to put his indigo on board those ships. This report has this probability for it: that Capt. Bridge upon his going out purchased and carried with him a considerable number of slaves, I have been told near 200, and he has brought none of them back. It is certain a trade to Hispaniola has been carried on, and not only indigo but quantities of refined and some say brown sugars have been imported; and the sailors of the navy are either grown very sober or have been supplied with rum from thence, for I have heard none

has been taken from the contractor for some months. I am not very fond of making complaints nor would I willingly create new enemies, and I have heard it is ticklish meddling with the Navy: however, I cannot help thinking they are sent here to protect us and not to steal any little trade from us. This island has suffered under many discouragements and the carrying on a trade in this manner and importing our own commodities upon us must be very injurious to the merchant, the planter, and seafaring part of this country. I will forbear saying any more on this subject. *Signed. 2 pp. Endorsed, Recd. 21 March. Enclosed,*

4. i. Same to Commodore Dent, 28 December 1736. I requested from Capt. Bridge an account on oath of the affair at Donna Maria Bay. Having no reply, I therefore apply to you. As we have the same master, I think our councils cannot be too well united for his service. I have been informed you intend to sail in few days to Martinique to demand satisfaction. If you do I should be glad to have an opportunity by your means of conveying a letter to the governor upon this subject, for it may be of the last ill consequence not only to the trade in these parts but even to all Europe if some stop be not put to these proceedings. I wish you a happy year and many of them. *Duplicate. Signed. 1 p.*

4. ii. Capt. T. Bridge to President Gregory; on board *Antelope*, 27 December 1736. In reply to your request for information upon the insult offered by the French at Hispaniola, I must beg to be excused, it being a custom in the Navy by instruction that the actions of every private captain be represented to the admiral or commanding officer, and through him conveyed to one of H.M.'s Principal Secretaries of State as well as the Lords of the Admiralty, whose accounts are looked upon as authentic (though not given upon oath) as if received from the governor of any province. I have accordingly delivered to Commodore Dent an exact account of the business, it being my duty so to do and no further. *Signed. 1½ small pp.*

4. iii. Commodore Dent to President Gregory; Kingston, 29 December 1736. The information you require will be justly represented by me to the Principal Secretary of State as well as to the Lords of the Admiralty, without giving or putting you to the trouble. The trade while I command will always meet with due protection and proper convoy when demanded. I have no thoughts at present of going or sending a ship to Martinique to demand satisfaction for the depredations said to be committed. I shall suspend that till I am further instructed. *Signed. PS. Capt. Draper promised Capt. Bridge Monday morning last to send you the enclosed by a gentleman then going to Spanish Town, but forgot it. 1 p. [C.O. 137, 56, fos. 54-61d.]*

5  
January 7.  
Madrid. Count D'El Montijo to Don Joseph Vizarron, Bishop and Viceroy of the city of Mexico, requesting protection for Mr. Millar sent by the Royal Society of London for the discovery of vegetables and other curiosities. I myself am a member of the said Royal Society and am engaged hereto by a person whom I could by no means disobey. *Copy. 1½ pp. [C.O. 5, 639, fos. 97-98d.]*

6  
January 8. Archibald MacBean to James Oglethorpe. I have a mind to let you know what passengers I can get at Inverness<sup>1</sup>, all out of that shire and the next: the complement as I shall promise will be 100 people, 20 of them will be freeholders, 10 of them without families, and 20 young women, none of them whores nor transporters but to be indented servants, the rest the same. All this I will do and ship them aboard in a month's time. I can provide these people as cheap as you can get them in any other country. The rest of my country are well settled and I have none,

<sup>1</sup> 'Underness' in MS.



which makes me uneasy concerning my family which is there. I desire to get to Georgia as soon as possible. My cousin and I, Laughlin MacBean, will pay for twelve passengers, ten men and two women. You cannot send a fitter captain for the country than Capt. Dymond, which will be as many people as the ship can carry. *Illiterate. Signed. 1 p. [C.O. 5, 639, fos. 103-104d.]*

7

Lieut.-Governor William Gooch to Council of Trade and Plantations.

January 8.

The settlement of the boundary of the Northern Neck grant having been particularly recommended by you as well as earnestly desired by everybody here, I must not neglect giving you an account of the progress hitherto made therein lest any delay should be imputed to me or to those chosen for that service. Though Lord Fairfax arrived in Virginia the beginning of May 1735 and I then waited on him on board the man-of-war, it was 14th October following before he gave me H.M.'s order-in-council and your letter. This falling in with the business of the general court and the winter drawing on when it was impracticable to enter upon a work of that nature, all that could be done was to appoint fit persons to be commissioners that they might concert with Lord Fairfax the proper measures for dispatching that business when the season of the year, which is only in the fall, would admit. Accordingly commissioners were named on H.M.'s behalf and notice given of it to Lord Fairfax, then at my house, whose agent soon after attending told me in council he had authority from his lordship to nominate for him the same commissioners that were appointed for the King, provided they were members of H.M.'s council (which they were, Mr. Byrd, Mr. Robinson and Mr. Grymes) on whose honour and integrity he would rely to do equal justice. September last being the time fixed for going out upon the survey, it was thought fit to acquaint Lord Fairfax that since he was determined to submit the settlement of his bounds to H.M.'s commissioners it was expected he should by some instrument under his hand empower them to act for him and that the time limited by H.M.'s order would allow of no longer delay.

Now though his lordship, who was now too at my house, continued to approve of his choice of the King's commissioners, yet when they waited on him for his instructions and orders the powers he gave them were so different from the terms of H.M.'s order and to a memorial his lordship delivered in to me in April 1736 that they were thereby restrained to view and survey, not allowed to mark and settle the boundaries as had been agreed upon at home. When I reasoned with him on this surprising change, he told me notwithstanding what had been done in England by his solicitor, of which he declared himself ignorant though I put him in mind of the memorial to me expressing the very words of the order for settling his bounds, he absolutely refused giving any other authority; and thereupon it was the next day unanimously advised by the council here that H.M.'s commissioners should not accept of such confined powers, so contradictory to H.M.'s order and to the commission they had received from me, and that they should proceed on the service without loss of time in case Lord Fairfax would not appoint others to act for him.

This resolution moved his lordship to name other gentlemen (and indeed it was doing what before we had any dispute I always desired him to do); but he still insisting that he would consent to nothing more than to have the rivers Rappahannock and Potomac with their several branches and rivers falling in to them traced upwards and surveyed to their fountains, rather than the service should suffer by this turn it was agreed to send surveyors on both sides to measure and plat down the courses of both those rivers. Accordingly H.M.'s commissioners at a day appointed in September last met his lordship's at the falls of Rappahannock and having selected the ablest surveyors gave them their instructions and bound them by an oath with verbal orders to go on



with as much expedition as was consistent with the care and circumspection their work required and when they had finished to lay their plats before them who, whatever his lordship's commissioners may do, intend if possible in pursuance of the royal order to give their opinion of his lordship's bounds from the words of the grant.

The surveyors appointed for Rappahannock in about two months finished their survey to the headsprings of all the rivers which run into that river. But the others who were sent upon Potomac have been gone near four months and I have not yet heard of their return. Thus this matter stands at present, and I thought it my duty to lay it before you that you may not be induced to believe any delay has been occasioned on the part of this government. And when the report of the whole is transmitted to you we shall take care to be as particular as we can.

Capt. Ball having failed in his trial of making Brazil tobacco, the project is entirely dropped. For though he has offered himself with suitable encouragement, to go once more to that country in order to be master of the manner of curing and the art of making such tobacco, yet the gentlemen here considering the difference of soil and presuming the tobacco is of another kind are determined to be at no further expense about an undertaking so precarious with so distant a view of advantage. The Acts and journals of the last assembly with the other public papers have been waiting some time for a proper conveyance, but they shall be sent with the first ship bound for London. *Signed.* 2½ pp. *Endorsed,* Recd. 26 April, Read 29 April 1737. [C.O. 5, 1324, fos. 35-36d.]

8            Lieut.-Governor William Gooch to Duke of Newcastle. The want of  
January 11.    a regular conveyance has obliged me to delay the sending the journals and Acts of the last session of assembly and the other public papers of this government which I now transmit to you by the *Micajah & Philip* of London, James Bradby master. Amongst these Acts there is one for confirming and better securing the titles to lands in the Northern Neck held under Lord Fairfax which I am in behalf of many of H.M.'s good subjects to request your favour in obtaining to it the royal assent and approbation; and as it contains nothing derogatory to the King's prerogative or injurious to the right of Lord Fairfax as proprietor, who was present and consenting to its passing, and is only calculated for quieting the possessions of those who have *bona fide* purchased lands though under defective titles or informal conveyances, it is hoped there will be no objection to its receiving H.M.'s confirmation. I shall not trouble you with animadversions on the other Acts or public papers sent herewith. You will be better pleased to hear the country remains in tranquillity and the people in a dutiful obedience to their sovereign, cultivating the arts of peace and flourishing in their trade, than to be entertained with a long detail of our particular laws which are of little weight when compared with the important affairs of Europe wherein you have so large a share. *Signed.* 1 p. *Endorsed,* Recd. 23 May. [C.O. 5, 1337, fos. 187-188d.]

9            Francis Wilks to Alured Popple, acknowledging letter concerning  
January 11.    bills of credit current in Massachusetts Bay. In December 1732 there  
London.        was circulating 176,200*l.* of which only 16,500*l.* were issued by Governor Belcher, the rest before his time. The several Acts passed at the times when the said bills were issued appoint certain periods for their being called in by way of tax and sunk, which I apprehend has been strictly observed by Governor Belcher. A copy of the account I received dated December 1732 you have enclosed. I apprehend you mistake the design of the Acts passed for supplying the Treasury since Governor Belcher's time by supposing that the bills therein mentioned to be lying in the Treasury and ordered to be issued for the service of the government are an increase of paper money contrary

to H.M.'s instructions. I don't understand it to be so; and to explain my notion of it will suppose the province wanted a sum of money to defray the charge of government and instead of their method of coining bills and paying them away to answer the demands of those in the government service they had borrowed a sum of money, say 10,000*l.* of A.B. in 1720, and pass an Act at the same time that he should be paid out of money raised by a public tax in 1730; at which time according to their method an estimate would be made how much was necessary to be raised that year for defraying the charges of the government, which suppose 20,000*l.*, and to that they add the 10,000*l.* borrowed of A.B. in 1720. An Act of the General Court would then pass for calling in or raising by way of tax 30,000*l.*; when the same is accordingly brought into the Treasury another Act or resolve passes for paying A.B. 10,000*l.* (which answers to their method of burning) and the other 20,000*l.* to be issued for the uses it was raised of defraying the charge of government. I think it plain if so much be brought into the Treasury every year and paid, burned or otherways sunk as is appointed by former Acts at the time of issuing the said paper money then current the whole must be sunk according to the design of those Acts which first gave them a currency. It is no matter how much more is brought into the Treasury yearly it must be issued again by the public authority for the service of the government or the country cheated of what is not. There is no other way of paying their officers, etc., but by an order of the General Court for issuing money out of the Treasury if any be there which has been brought in for that purpose. The particular payments are now made by the Treasurer by virtue of orders signed by the governor with consent of the council; formerly the treasurer could not pay any such orders without being also approved by the assembly. By the enclosed account I observe 12,000*l.* is to be brought in and sunk in 1737. If in that year a war with the Indians should happen which as formerly may occasion an additional charge of 50,000*l.* per annum they have no other way of providing for this but by levying a tax which shall amount to 62,000*l.*, 12,000*l.* thereof to be burned as directed by the Act in May 1727 when the same was first issued, and the other 50,000*l.* to be again issued out of the treasury for such uses as the General Court shall direct. I understand what is meant by H.M.'s instruction (that only 30,000*l.* shall be current at one and the same time) refers only to what paper currency should be coined or first issued after the arrival of said instruction without regard to what was then current and which I believe has been duly regarded. After 1741 there cannot be more than 30,000*l.* current at a time according to said instruction. *Signed. 3½ pp. Endorsed, Recd., Read 11 January 1736/7. [C.O. 5, 879, fols. 87-89d.]*

## 10

January 12.  
Palace Court.

Minutes of Common Council of Georgia. Ordered, that 266 barrels of rice and 7 cases of skins on *Two Brothers*, Capt. Thomson, be entered as imported and sold. Ordered, that a bill of exchange dated 29 September 1736 drawn by Mr. Oglethorpe for 200*l.* to John Crockat or order be accepted and paid when due; notice was taken that the bill was drawn four days after the advertisement in the *South Carolina Gazette* that the Trustees would pay no more bills but sola bills, Mr. Oglethorpe acquainting the board that he was then at Frederica and had then no notice of the advertisement and that the bill was drawn for important services. Ordered, that 1000*l.* be paid into the hands of Ald. Heathcote on account; signed a draft on the Bank of England for the said sum. Ordered, that 100*l.* be paid to the accountant for his extraordinary trouble in attending the Trustees' business at the Custom House and in making, checking and accepting the sola bills and other business. Signed a draft on Bank of England for 500*l.* for payment of sola bills. Ordered, that a letter be sent to Mr. Jenys to send back the sola bills for 1500*l.* which were sent to Mr. Oglethorpe but not received by him before he left Georgia. 2½ *pp.* [C.O. 5, 690, *pp.* 42-44.]



**11** Minutes of meeting of Trustees for Georgia. Mr. Oglethorpe reported his proceedings in Georgia and the present state of the colony and laid before the board two treaties concluded between Georgia and the Spaniards at St. Augustine. Resolved, that Mr. Oglethorpe be congratulated on his safe return and thanked for his services to Georgia; and that John Tanner be thanked for services to Georgia reported by Mr. Oglethorpe. Ordered, that letters of thanks be sent to Capt. Windham and Capt. Gascoigne for services to Georgia; that the secretary desire the Council of Trade and Plantations to put off to-morrow's conference in regard Mr. Oglethorpe is but just arrived. 2 pp. [C.O. 5, 686, pp. 345-346.]

**12** Alured Popple to Benjamin Martyn requesting the presence of some of the Trustees for Georgia at Council of Trade and Plantations on Tuesday next. *Signed.* 1 p. [C.O. 5, 639, fos. 23-24d.]

**13** Council of Trade and Plantations to the King, recommending Thomas Harrison to be a councillor of Barbados in the room of Mr. Peers, deceased. *Entry. Signatories,* Fitzwalter, M. Bladen, James Brudenell, R. Plumer, T. Pelham, Arthur Croft.  $\frac{1}{2}$  p. [C.O. 29, 16, p. 58.]

**14** Benjamin Martyn to Capt. James Gascoigne and Capt. Charles Windham. The Trustees being acquainted by Mr. Oglethorpe of the many services you have done the colony of Georgia have voted you their thanks and have no doubt of the continuance of your good offices. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 3.]

**15** Harman Verelst to Paul Jenys. By the *Brooke*, Capt. John Keat, who sailed from England in September last I sent you a cask containing seeds and papers, four tubs of bamboo plants and a box and cask of medicines for Georgia, together with a letter for Mr. Oglethorpe, which had not arrived to 20 November last. If they are still in your hands, return the square box to the Trustees by first opportunity to be delivered by the captain's own hand, return Mr. Oglethorpe's letter to him, and send the seed and other parcels to Mr. Causton. *Entry.* 1 p. [C.O. 5, 667, fo. 3-3d.]

**16** Harman Verelst to Thomas Causton, by Mr. Brathwaite on Capt. Nickleson's ship. The Trustees have ordered me to write to Mr. Jenys for the return of a square box sent by the *Brooke*, Capt. John Keat. [See No. 15.] But if Mr. Jenys has forwarded them to Georgia before he receives my letter, the Trustees desire you will send back the 11 books of sola bills which were in the said box and pack them safe with directions to be forwarded from Charleston to England by first opportunity and delivered to the Trustees by the captain's own hand. You need not mention what they are, though they can be of no use, Mr. Oglethorpe not being in Georgia to endorse them.

I have enclosed to you the method of sowing the barilla seed. Mr. Oglethorpe desires you will send to Mr. Woodward to furnish to Mr. Horton's order 50*l.* in cattle or other livestock or to pay that amount for livestock purchased on Mr. Horton's account; and you are to post the same to Mr. Horton's account with the Trustees for labour etc. You are to show Mr. Brathwaite who goes to Charleston by this ship and has a settlement near Georgia what civilities you can at Savannah and in case he shall have occasion



for boats or any other conveniences to recommend him to such persons as will use him best and he will pay the charges.

The Trustees desire you will send up a messenger to the Cherokee Indians to acquaint them the Trustees intend to make them a return for the skins they last sent to Savannah and they would be glad to know what would be most acceptable to them. It is of the greatest service here to know the real situation of Georgia from time to time and the Trustees desire you will for that purpose keep a constant diary of what happens in Georgia and send a copy thereof on every occasion that offers for a regular information. *Entry.* 1½ pp. [C.O. 5, 667, fos. 3d-4.]

17

January 16.  
Savannah.

Thomas Causton to Trustees for Georgia. Since my last, the Upper Creek Indians have been here to whom I judged there was a necessity to give presents: account thereof enclosed. Effa Mico, Dog King of the 'Euphalees' having made a complaint as mentioned in my proceedings in the execution of justice, I sent the enclosed orders to Lieut. Willey in the Creek nation. Also enclosed are copies of issues and receipts of stores since Mr. Oglethorpe left to 1st inst., copies of such balanced accounts as I could get hitherto transcribed as well with regard to Mr. Oglethorpe's account when here as those since to the same time, and inventory of stores taken 23rd November last. The first three months of former accounts are not yet finished but hope to send them per next opportunity. The people are all in good health both here and at the southward but have no material advices at present from any parts. I am very much disappointed in the purchase of provisions, meeting with many promises and few performances, Mr. Bryan in particular who contracted with me having at last sent me only 20 barrels of beef which was so indifferent that at other times I would not have taken it. Mr. Eveleigh has at length sent me about the same quantity and Mr. Woodward still promises to send me a large quantity. To depend on Carolina at any time is very uncertain and the vessels from New York are generally loaded with trifling things. Capt. Ellis from Philadelphia is arrived at Frederica but has brought neither meat nor butter: he has flour and beer but he asks (as I am informed) 14s. per cwt. for his flour and 40s. per barrel for his beer. As I cannot judge at this distance whether it is worth it or not I can only say that I have generally bought here very good flour a York at 9s. 6d. or 10s. per cwt. and beer at 22s. or 23s. per barrel; therefore am not likely to take any of his goods. I have written at the request of Abraham Minoss to his correspondent Jacob Franks at New York empowering him to buy 200 barrels of beef, 50 barrels of pork and 30 firkins of butter, and have undertaken to pay him in present money in expectation that your sola bills will arrive, he being to take them as money. I shall therefore certify the particulars of the goods when received and advise the issuing the bills accordingly. *Signed.* 1½ pp. *Enclosed,*

17. i. Same to Alexander Wood; Savannah, 12 January. Effa Mico, Dog King of the 'Euphalees', has complained that you have frequently killed his cattle and that you have slighted him and treated him ill. In obedience to the Trustees' orders I require you to make him satisfaction two-fold for the injuries you have done him. Mr. Willey is to see that these things are done. *Copy.* ½ p.

17. ii. Same to Anthony Willey, dated as preceding, to execute the above order and report. *Copy.* ¼ p. [C.O. 5, 639, fos. 114-116d.]

18

January 17/28 (N.S.)  
Hanover.

Philip George Frederick von Reck to James Vernon reporting his arrival in Hanover; has heard the good news of Mr. Oglethorpe's arrival. *French. Signed,* Reck. 2 small pp. [C.O. 5, 639, fos. 100-101d.]

19

January 17.  
Antigua.

Governor William Mathew to Duke of Newcastle. After all my repeated endeavours to obtain in these islands quarters for H.M.'s regiment stationed among them, I found my solicitations were in vain, and indeed I never saw the condition of the sugar planters reduced so low, even to indigence, though for near 30 years I have been concerned here. I could not afore acknowledge your commands relating to the French settlements on St. Lucia and Dominica. When those orders came to hand the hurricane season was just set in and H.M.'s ships of war, from whom I could best get information on that head, were then laid up in English Harbour. This is the first opportunity since their going again to sea that I have had for informing you that after a pretended show of removing the French from St. Lucia by their general's orders, I cannot find but that they are returned to take off their crops of cotton, and many still remain on that island if not as many as ever. But as for Dominica, they never recalled any of their French from thence that I can learn; but they are daily increasing and even under a form of government with the French general's knowledge if not with his commission. I hope I am not deceived in the accounts I mention about St. Lucia. But your information from Barbados must be very certain, as that island as well as Dominica is within the extent of that government.

You have been since pleased to order my providing for a son of Major Cleland's: I had formerly given him a gunner's place in this island which with a place he has of waiter in the Custom house is a tolerable maintenance for him. I am now removing him to St. Christopher's to a gunner's post there of double the value of this he has here, and I shall find something else there to add to it very soon. What stops me a little at the present is to contrive with Mr. Dunbar, the surveyor general of the Customs, that he may also be a Custom house waiter there as he is here; and then he will have a handsome competent maintenance. *Signed.* 2 small *pp.* *Endorsed,* Recd. 2 April. Extract send to Lord Waldegrave, April 1737. [C.O. 152, 44, *fos.* 87-88d.]

20

January 17.  
Antigua.

Same to Council of Trade and Plantations. I now transmit to your secretary a box containing public papers to be laid before you, of which I send him a list. This will serve to enclose an account of a most dangerous conspiracy of the negroes to destroy all the white inhabitants of this island. It is a report of the justices to whose care that discovery was committed and who tried and condemned the 47 conspirators therein mentioned, and is so full that I can add nothing to it but pray you will regard the methods proposed for the future safety of this and other H.M.'s colonies where so great numbers of negroes encourage such dangerous attempts. These gentlemen being quite fatigued and wearied out by a long attendance I was forced to appoint five others to go on with the trials, and since their meeting 25 more negroes have been burnt. I hope they will in good time put an end to these executions; I think they are very numerous. By a law of this island justices of the peace have full power to try and condemn negroes and they too sign all warrants for executions as they have all along done in relation to this conspiracy. The contagion has spread farther among these islands than I apprehend is discovered: by an enclosed affidavit of John Hanson, it actually has taken effect in St. Bartholomew's and is discovered in Anguilla and St. Martin's. Out of this evil Antigua has gained an advantage I have long laboured for in vain: the whole militia now is armed and with bayonets and have been taught the use of them. God preserve the other islands from such an attempt: they are hardly convinced there really was a conspiracy here, their militia undisciplined and almost unarmed. I formerly informed you how I was disappointed in getting bayonets introduced into the militia of St. Christopher's; and in a negro war where you are attacked with despair and greatest rapidity, can a fire keep off multitudes



from breaking in upon a few with bills and cutlasses, for these are the negro chief weapons? Is not the bayonet the only weapon to stop such onsets? Till this affair is quite over I cannot leave the island to go down to the others though I hope for very little good from what I shall urge to people in the utmost security. *Signed*. PS. I enclose William Fisher's deposition relating to a Spanish *garde-cote* or privateer. She took since a sloop bound from Carolina to Barbados, Higginbottom master, and a sloop from Anguilla bound to Rocas turtling. She is fitted out from Cumana; as the governor there restores a rich New York sloop bound from Madeira to Jamaica at my request, and we have begun a correspondence of civilities, I hope to get again the Anguilla sloop. 3½ pp. *Endorsed*, Recd. 18 March, Read 22 March 1736/7. *Enclosed*,

20. i. Affidavit of William Fisher of Antigua, sworn before Governor Mathew in Antigua, 13 November 1736. Deponent was sailing in the *Fanny* of Antigua, Thomas Nanton master, to St. Vincent; but being obliged by calms to steer far to the south, was taken about 4 September by a Spanish sloop of 69 men. The six white men aboard the *Fanny* were stripped naked by the Spaniards and severely whipped; one, Timothy Nibbs, was wounded with cutlasses. They were placed by the Spaniards on a desert island called Grand Rocas. Five days later the Spanish ship returned and took another English sloop belonging to Nevis: these men also, deponent understands, were cruelly used. After 4 more days, deponent and company were taken off by a Dutch vessel; but this ship was later taken by the same Spaniards. The Dutch were used with even greater cruelty: the captain's right hand was cut off and in the sight of this deponent . . . <sup>1</sup> broiled it and made the Dutch captain eat it. The Spaniards finally left deponent and others at Salt Island whence they were taken off by a Dutch ship. *Copy*, certified by William Mathew. 1½ pp.

20. ii. Affidavit sworn by John Hanson of Antigua before Governor Mathew, in Antigua, 23 December 1736, reporting news that the French governor of St. Martin's, M. Pymon, had been asked to help to suppress a rebellion of negroes in St. Bartholomew's. Such a conspiracy was discovered in St. Martin's also and it was reported that the Anguilla negroes were to join those of St. Martin's. *Copy*, certified by William Mathew. 1 p. *Endorsed*, as covering letter.

20. iii. Antigua, 30 December 1736. Report to Governor Mathew of an enquiry into the negro conspiracy. The slaves chiefly concerned were those born on the Gold Coast whom we style coromantees, led by Court a slave of Thomas Kerby; and those born in the colonies whom we call creoles, led by Tomboy a master-carpenter belonging to Thomas Hanson. Court, we are told, was of a considerable family in his own country, brought here at ten years of age, and covertly assumed among his countrymen here the title of king. Both men were well-treated by their masters, Tomboy being allowed to take negro apprentices and make all the profits he could. The other principals were Hercules, Jack, Scipio, Ned, Fortune and Toney, all creoles except Fortune who was either a creole or brought here as an infant. The most active incendiaries under Court and Tomboy were Secundi and Jacko, both creoles of French parentage and both initiated into the Roman Catholic religion. Their employments were crafts, overseeing and house-service. When and by whom the design was first begun cannot be certainly fixed; probably it was by Court, and we know that it was in agitation about November 1735. The chief measures taken to corrupt our slaves were entertainments of dancing and feasting under colour of innocent pretences; those corrupted were bound by oaths. A new government was to be established when the whites were extirpated: Court was flattered by all with being king, but the creoles had privately resolved to settle a commonwealth and

<sup>1</sup> Document torn.



make slaves of the coromantees. In order to make proof of numbers Court resolved upon one grand test to be done in daylight by a military dance, of which whites and negroes not in the secret would be spectators yet ignorant of the meaning. It is the custom of Africa when a coromantee king has resolved on war to give public notice that the ikem-dance will be performed. The king appears at the place appointed under a canopy with his officers of state, guards and music, the people forming a semicircle about him. The king then begins the dance, carrying an ikem or shield of wicker and a lance: when fatigued, he delivers the ikem to the next dancer. When several have danced, the king dances again with his general and swears an oath to behave as a brave prince should or forfeit his life. If he is answered by three huzzas from those present it signifies a belief that the king will observe his oath and an engagement to join him in the war. This dance Court exhibited on 3 October last, and took the oath; Tomboy was the greatest of the generals. The bystanding slaves huzzaed three times, the coromantees knowing but the creoles not understanding the engagement entered into. Some of the coromantees, knowing that a war was intended, tried to stop the dance being performed.

The method first proposed for executing the plot was that Tomboy should procure the making of the seats for a great ball to be held on 11 October last, at which all the people of note in the island would be present. He was to contrive laying gunpowder in the house to be fired when the dancing was in progress. Three or four parties of 300-400 slaves were to enter the town and put the whites to the sword; the forts and shipping in the harbour were to be seized. The ball, however, was put off to 30 October, whereupon some conspirators wished to act immediately; but Court persuaded them to defer action till then. Signs were not wanting of the impending danger, and these led the governor to order an enquiry which led to the discovery of the plot, much owing to the confessions of the various slaves. On the evidence of the facts discovered, the first twelve of the conspirators in the annexed list were executed. Further examination, however, caused us to see that much remained to be done; by various evidences, 35 more slaves were executed and 42 more, the evidence against them being less full, are recommended for banishment. All those executed or recommended for banishment are known to have taken the oath: this was by drinking a health in liquor with grave-dirt and sometimes cock's blood infused, and sometimes the person swearing laid his hand on a live cock. The general tenour of the oath was to kill the whites. The execution of the first twelve did not break the conspiracy, for at least 50 took the oath on 26 October last after the executions.

We may say with certainty that the particular inducement to the slaves to set this plot on foot, next to the hope of freedom, was the inequality of numbers of white and black. We think gentlemen should reside on their estates; that men of the best figure and fortune should not put slights on the commissions of peace and militia; that slaves should not become craftsmen, overseers or tradesmen; that more of our menial servants should be white; and that no fiddlers for gain, except white, should be suffered. The presence of the King's troops was heartening to us and intimidating to the slaves; we could do with more. A person called Mulatto Jack was brought before us as a criminal slave concerned in the plot: but he alleged that he was free born in Ireland and stolen thence and sold here as a slave. We think he proved his allegation, and we submit it to the legislature whether this mitigates his crime. A free negro named John Coteen and a free mulatto called Tom were likewise charged before us. Jack and Coteen, were slaves' evidence admitted, are undoubtedly guilty; but the evidence against Tom is not strong. As it is not in our power to try free

persons we submit their cases to the legislature. We propose that the slaves who made the discovery should be rewarded: this will help to make them more distrustful of one another. We recommend for public consideration the diligence of the following constables, James Hanson, John Bolan, Gustavus Christian, John Libert, Hugh Shewcroft, Mr. Davison, and Richard Jackson. We also pay tribute to you for your encouragement and vigilance in putting the country into the best posture of defence it has ever been in.

As this horrid conspiracy cannot but be heard of wherever people hold correspondence with Antigua, it will no doubt be variously animadverted upon; and as slavery is the very odium of Englishmen some of our countrymen may do it to our disadvantage. Yet slavery is among us not of choice but of necessity, and unless (as it is not to be imagined) our mother-country should quit the trade of the sugar-colonies Englishmen must continue to be masters of slaves. There were two steps in particular taken by us in our enquiry which might have been excepted to. First, trying the criminals privately and excluding all whites except the constables, and twice or thrice whites who were not masters of slaves. We found our proceedings much retarded by whites asking questions, especially masters of slaves under examination. Secrecy was necessary to prevent the flight of those on whom suspicion might fall. Secondly, admitting slaves to be witnesses after conviction of what we termed a treasonable conspiracy. There is little weight in this. A slave is not a person known by the laws of England, and in the eye of our laws is the same person after conviction as before, being incapable of giving evidence except against each other. Slaves can lose no credit nor have their blood corrupted nor forfeit property nor suffer disability by attainder. By an act of this island it is expressly left to the discretion of the justices to examine slaves as witnesses and to give what credit to his testimony they think it deserves. We always made considerable allowances for the hopes and fears of those under conviction, and we have leaned more to the merciful than the severe. An Act being passed for inflicting torture on persons suspected of the plot, we three times made fruitless experiment thereof, and then declined further use. *Signatories*, John Vernon, Ashton Warner, Nathaniel Gilbert, Robert Arbuthnot. 8 large pp. List of slaves proposed to be banished, 15 December 1736: 42. Witnesses to be sent off: 7. Slaves executed: 47. Fled from justice: 2. Free negroes in prison: 4. [*Names of slaves and owners given.*] 2 pp. Certificate by three of the commissioners of the praiseworthy industry of Robert Arbuthnot to whom under God the preservation of all that is dear to us is in great measure due. Antigua, 30 December 1736. *Signatories*, John Vernon, Ashton Warner, Nathaniel Gilbert.  $\frac{1}{2}$  large p. *Copy*, examined by William Mathew. *Endorsed*, as covering letter. [*C.O. 152, 22, fols. 302-303d, 306-307d, 311-323d.*]

## 21

January 17.  
Antigua.

Governor William Mathew to Alured Popple, transmitting under care of John Masters, commander of the snow *Eagle*, minutes of assembly of St. Christopher's, 1 March 1734/5 to 29 November 1735; minutes of council and assembly of Montserrat, 25 June to 25 December 1736; Act of Antigua for better discovery of conspiracies; Act of the same for relief of insolvent debtors; Act of the same for adjourning the four courts of King's Bench and Common Pleas. The negro conspiracy made the first and third of these laws absolutely necessary but how ineffectual the first proved may be seen from the enclosed report on that affair. The Act for the relief of debtors is not the first of the sort made here and is agreeable to the law of England as far as the circumstances of this island would permit. I send also abstracts of



certain records of births, marriages and deaths. *Signed*. PS. I have put also in the box an Act of Antigua for continuing John Yeamans agent for that island for three years longer. I just now learned from Mr. Coope the favourable countenance you show him and Mr. Yeamans on my behalf, for which I ever shall retain a true sense of gratitude.  $2\frac{1}{2}$  pp. *Endorsed*, Recd. 18 March, Read 22 March 1736/7. *Enclosed*,

21. i. Abstract of christenings and burials in parish of St. Philip, Willoughby Bay, Antigua, 31 October 1733 – 31 October 1736. Christened: 48 males, 35 females. Buried: 42 males, 24 females. By John Bernonville, clerk, minister of the parish. 1 p.

21. ii. Same, in parish of Trinity Palmeto Point, St. Christopher's, 30 October 1735 – 30 October 1736. Baptized, 20. Marriages, 2. Burials, 16. By John Merac, rector.  $\frac{1}{2}$  p.

21. iii. Same, in parish of St. Thomas, Middle Island, St. Christopher's, for same period as ii. Baptized, 32; marriages, 5; burials, 33. By John Merac.  $\frac{1}{2}$  p. *Endorsed*, as covering letter. [C.O. 152, 22, *fos.* 304–305d, 308–310d.]

## 22

Henry McCulloh to Alured Popple. Governor Johnston by his letter January 17. to me seems very desirous of their lordships' opinion of the methods he has taken in collecting the quit rents. Hitherto the planters have paid their arrears of quit rents without considerable opposition but it is now to be feared that as a result of the insinuations made to them that the governor's conduct is not approved they will not pay as readily. It will be necessary that their lordships should express themselves fully on this head before the next collection of quit rents in the spring. Their lordships having approved the erection of a court of exchequer, they should order the governor to put the laws of that court in execution against those who refuse to pay their quit rents. They should also take notice immediately of the long established practice of the people of the colony of boxing pine trees for turpentine and burning light wood for pitch without taking out any regular patents for the lands, which has been of great disservice to H.M.'s revenue. There are many people in the colony who bear great resentment against the governor on this account, believing that what he has done to stop them destroying the King's woods is not by virtue of instructions from their lordships but proceeds from an arbitrary disposition in himself. The governor in his letter to me also mentions the necessity of continuing the assembly longer than two years; in the unsettled state of the colony frequent elections would introduce great disturbances amongst the people. The privilege claimed in the biennial assembly of meeting without any writ or summons from the governor appears very extraordinary and entirely inconsistent with H.M.'s privileges. Governor Johnston begs that his letter be taken into consideration by their lordships as soon as possible as there will be an opportunity of replying by way of Virginia in about ten days. In case their lordships should disapprove of any part of the governor's conduct (which I hope they will not) they are asked to write two letters to the governor, one containing only such things as are approved, and the other containing such matters as their lordships are pleased to direct in a private manner. *Signed*. 2 pp. *Endorsed*, Recd. 17 January, Read 11 February 1736/7. [C.O. 5, 295, *fos.* 72, 72d, 75, 75d.]

## 23

Alured Popple to Governor Jonathan Belcher. The Council of Trade and Plantations have received a petition from Samuel Graves of Kingston, New Hampshire, to Col. Dunbar, lieut.-governor of that province, complaining of hard treatment in having been dispossessed of his house and land in Kingston by virtue of a judgment obtained at the suit of some of the inhabitants

January 18.  
Whitehall.



of Haverhill in Essex county, Massachusetts, in May 1734 at the superior court of the said county, copy of the said petition is sent enclosed. It appears by the petition that the house and land in question are not within the bounds of Massachusetts and that even yourself had suspended the judgment of that court until the boundaries between the two provinces should be adjusted upon a supposition at least that there might be some doubt as to the situation of the said lands. Their lordships therefore are extremely surprised that you should afterwards take off your order of suspension and direct the putting the judgment of the court in execution upon a single suggestion of your own and without the least foundation, that the boundary lines would never be settled; they desire your immediate answer to this petition and that until the lines are settled you will prevent the courts of either of the provinces under your government to intermeddle in the affairs of the other upon any pretence whatsoever. *Entry.* 2 pp. [C.O. 5, 917, fo. 81, 81d; draft in C.O. 5, 897, fols. 121-122d.]

24  
January 19.  
Whitehall. Same to Lieut.-Governor David Dunbar, enclosing No. 23. Take care that the same may be delivered to Governor Belcher. For your own information I send you a copy. *Entry.* 1 p. [C.O. 5, 917, fo. 82; draft in C.O. 5, 896, fols. 89-90d.]

25  
January 19.  
Whitehall. Same to Governor Richard Philipps. It appearing by a letter from Captain Lee, governor of Newfoundland, 25 September last, that your company at Placentia is entirely unprovided with smallarms, an extract of the said letter is sent for your information. *Entry.* ½ p. [C.O. 195, 7, p. 404.]

26  
January 19.  
Palace Court. Minutes of Common Council of Georgia. Ordered, that six bills of exchange drawn by Mr. Oglethorpe 22 October 1736 for provisions amounting to 475*l.* 13*s.* 11½*d.* payable to Robert Ellis be accepted and paid when due; notice was taken that the bills were drawn 27 days after the advertisement in the *South Carolina Gazette* that the Trustees would pay no more bills but sola bills, Mr. Oglethorpe acquainting the board that he was then at Frederica and had then no notice of the advertisement. Another bill drawn by Mr. Oglethorpe 20 September 1736 for 100*l.* to Capt. Macpherson to be also accepted and paid when due. The board considering the bill for 500*l.* drawn by Mr. Oglethorpe 11 May 1736 payable to Samuel Eveleigh or order which was protested for non-payment pursuant to the refusal of the Common Council of 4 August last, and Mr. Oglethorpe having acquainted the Common Council that the said bill was drawn to prevent the Spaniards being supplied with guns and duffels for the Indians and that part of the guns and duffels bought had been delivered in Georgia and applied in presents to the Indians in friendship with the English and that the residue was at Charleston ready to be delivered on a future occasion for presents for the Indians or other purposes; ordered, that the accountant pay the said bill and Mr. Oglethorpe account for the same as above.

Louis Gammot of Louisiana of the *Troupes Detachées de la Marine* having been examined by the Trustees and having given an account of the French settlements and the engagements between the Chickesaws and French; ordered, that two guineas be given him. Resolved, that Ferdinand John Paris be appointed solicitor for the Trustees in their cause with the government of South Carolina upon the representation of the latter about the Act for maintaining peace with the Indians in Georgia. Resolved, that Mr. Solicitor General Ryder, Mr. Murray, Mr. Charles Clarke of Lincoln's Inn, and Mr. Taylor White be retained as counsel in the said cause. Resolved, that 1000*l.* be paid into

the hands of Ald. Heathcote; signed a draft on the Bank of England for the same. Signed a draft on the Bank of England for 600*l.* for payment of sola bills. 4 *pp.* [C.O. 5, 690, *pp.* 45-48.]

27 Minutes of meeting of Trustees for Georgia. Received, a receipt from  
January 19. the bank for 1*l.* 1*s.*, benefaction of John Brathwaite, for general  
Palace Court. purposes. Read, representation to H.M. relating to lieut.-governor,  
council and assembly of South Carolina having opposed the execution of an Act of  
peace with the Indians in Georgia; sealed the same, secretary to countersign. The  
Board considering a minute of the S.P.G. of 19 November 1736 suspending salary to  
the missionary in Georgia, an answer thereto was drawn up to be sent to the said  
society, secretary to sign. 2 *pp.* [C.O. 5, 686, *pp.* 347-348.]

28 Trustees for Georgia to Society for Propagating Gospel in Foreign  
January 19. Parts. The Trustees at this time maintain two missionaries and a  
catechist at their own charge in Georgia; they had hoped for encouragement from the  
S.P.G. or at least that it would not have suspended payment of salary to the missionary  
in Georgia before knowing what resolutions the Trustees had come to. *Entry.* 1 *p.* [C.O.  
5, 670, *p.* 297.]

29 Petition of Trustees for Georgia to the King, complaining of the  
January 19. obstruction by the government of South Carolina of the Act for main-  
taining peace with the Indians in Georgia. They have passed an illegal ordinance for  
raising 2000*l.* to indemnify traders from South Carolina in their contempts of this Act.  
Thomas Wright, a transported convict, was employed as a licenced trader from Charles-  
ton to animate the Indians against your subjects. Petitioners pray for orders to preserve  
the peace. *Entry.* 1½ *pp.* [C.O. 5, 670, *pp.* 295-296.]

30 Order of King in Council, on report from Committee for Plantation  
January 19. Affairs, appointing John Roynon and Randal Fenton to be councillors  
St. James's. in Montserrat in the room of Anthony Hodges and John Roberts.  
*Copy*, certified by W. Sharpe. 2 *pp.* *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 152,  
22, *fos.* 341, 341*d.*, 346, 346*d.*]

31 Same, approving a report from the Committee for Plantation Affairs  
January 19. and appointing Samuel Burrows and Samuel Spofferth to be councillors  
St. James's. in Bermuda, *vice* Trimmingham and Shirlock, deceased. *Copy*, certified  
by W. Sharpe. 1½ *pp.* *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 37, 12, *fos.*  
233-234*d.*; warrants in C.O. 324, 37, *pp.* 41-42.]

32 Order of Committee of Council for Plantation Affairs referring the  
January 21. following eleven Acts passed in Massachusetts in 1735-6 to Council  
Whitehall. of Trade and Plantations for examination and report. *Signed*, W. Sharpe.  
*Seal.* ½ *p.* *Endorsed*, Recd., Read 2 February 1736/7. *Enclosed*,

32. i. Certificate that the following Acts were passed: Acts for more effectual  
regulating private trade with the Eastern and Western Indians; in addition to Acts  
for support of ministers; for more effectual collecting excise on strong liquors; for  
explanation of an Act for relief of poor prisoners for debt; more effectually to prevent  
the counterfeiting bills of credit; to empower collectors of taxes to require aid; to  
prevent unnecessary petitions; to prevent the destruction of fish called alewives;



for granting to Rowland Houghton of Boston the sole privilege of making the new theodolite; for granting 3000*l.* for support of the governor; for altering the time of holding the superior court, court of assize and general gaol delivery in county of York. *Signed*, J. Belcher, J. Willard, secretary. *Seal.* 1½ *pp.* *Endorsed*, Recd. from Mr. Wilks, 15 December 1736.

32. ii. Copies of the above Acts. *Printed.* 10 *pp.* [C.O. 5, 879, *fos.* 96-104*d.*]

33

January 21.  
Whitehall.

Order of Committee of Privy Council for Plantation Affairs referring the following to Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal.* 1 *p.* *Endorsed*, Recd. 31 January, Read 1 February 1736/7.

*Enclosed*,

33. i. Petition of George Morley, James Wedderburn, Thomas Gadsden, William Saxby senior, William Saxby junior, and Samuel Wheatley, patent and warrant officers in South Carolina, to be heard against an Act passed there in May last for ascertaining the fees of public officers. *Copy.* 1 *p.* [C.O. 5, 365, *fos.* 183-185*d.*]

34

January 23.  
Stanwell.

Governor Richard Philipps to [Alured Popple<sup>1</sup>]. I received your letter with copy of report from Capt. Lee setting forth that the company of my regiment in the garrison of Placentia are entirely without smallarms, which report (as he is pleased to express it in an ill natured way) I must say cannot be true in fact unless the late captain, Mr. Gledhill, hath sold them. It is very probable the arms of that company may be defective at this time and want repairing or perhaps renewing which would certainly have been done three years ago when I furnished a set of new arms to the other companies of my regiment in Annapolis Royal and Canso if I had been made acquainted with their defect. I intend to wait on their lordships as soon as I am able, being at present confined with a great pain and lameness in my knee, with a further answer to Mr. Lee's report. *Signed.* 1½ *pp.* *Endorsed*, Recd. 23 January, Read 26 January 1736/7. [C.O. 194, 10, *fos.* 45, 45*d.*, 51, 51*d.*]

35

[January 25.]

Memorial of Peregrine Fury, agent of South Carolina, to Council of Trade and Plantations, requesting the postponement of the hearing of the case of the injuries done to South Carolina by the magistrates and people of Georgia. 1 *p.* *Endorsed*, Recd., Read 25 January 1736/7. [C.O. 5, 365, *fos.* 179, 179*d.*, 182, 182*d.*]

36

January 25.

Extract of letter from Committee of Assembly in South Carolina to Mr. Fury, agent to the province. The lieut.-governor has received advice from Commodore Dent at Jamaica of a formidable force intended by the Spaniards against Georgia; he has sent particulars to the Duke of Newcastle. It is the desire of the general assembly that you should wait on such of H.M.'s ministers as you judge proper to assure them that this province will exert their utmost strength in defence of Georgia. But it will be absolutely necessary for you to represent to them at the same time the weak and defenceless condition of the province and how incapable we are of helping ourselves. Our taxes are already become almost insupportable and it will be with the greatest difficulty that we shall be able to raise new supplies since our present currency will decrease so fast and we have no hopes of more but from H.M.'s goodness in assenting to the Act passed by the late assembly. We must not presume to point out the method in which we are to be assisted, but if our informations are just, and we think we have no reason to question them, the Spaniards are preparing a much superior force to any

<sup>1</sup> See No. 25.

that we can raise. The ships of war which are on this or the northern stations consist of 20 guns only: the Spaniards at Havana have ships of 70 guns and great numbers of men ready to embark on the first notice. From the west end of Cuba to Georgia is a short and easy passage. If Georgia or this province should be lost to the crown of Great Britain the northern colonies will not be in the easiest situation. It must be left to H.M.'s wisdom to determine how far they ought to contribute to our defence. 1 p. [C.O. 5, 388, fo. 139.]

## 37

January 25.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing copies of two letters received from President Hamilton of New Jersey and Mr. Morris; minutes of council; and other papers transmitted to us from thence. By a clause in the commission to the governor of New Jersey, in case of the governor's death or absence out of the province, if no person is commissioned by H.M. to be lieutenant-governor or commander-in-chief, the eldest councillor whose name is first placed in the instructions and who shall at the time of the death or absence of the governor be residing in the province of New Jersey shall take upon him the administration of the government until the governor's return or the King's further pleasure be known. By the 10th article of the King's instructions to his governor of New Jersey the place of any councillor absent above a year without the governor's leave or above two years without the King's leave shall become void. When Col. Cosby died Mr. Morris had been in England above a year without the governor's leave as appears by the report of the council of that province here enclosed. Mr. Anderson therefore being the first councillor residing in the province took upon him the government according to the King's commission and held the same until his death, when Mr. Hamilton on 31 March 1736, the next eldest councillor and who was at that time residing in the province, took the government into his hands by the advice of the council and at the same time qualified himself for the administration thereof.

On 20 October last Mr. Morris who had been absent for nearly two years from the Jerseys demanded in council there that the administration of the government should be delivered to him, which having been refused by Mr. Hamilton the present commander-in-chief of New Jersey, we acquaint you that in our opinion Mr. Hamilton being in possession of the administration of the government of New Jersey in express conformity to H.M.'s commission, he cannot without a breach of his duty give up the same to any person whatsoever until H.M.'s pleasure shall be known. We are likewise of opinion that Mr. Morris has forfeited his seat in the council of New Jersey unless he may have obtained any licence of leave unknown to us for the time he has been absent from his duty in that province and therefore very improper in his demand of the government from Mr. Hamilton.

As Mr. Morris has taken upon him in a very unwarrantable manner to issue proclamations and attempt other acts of government by which parties and divisions may be very much fomented and increased in that province we desire you will lay this affair before H.M. to receive his commands thereupon, by which the peace of the province may be restored. *Signed*, Fitzwalter, T. Pelham, M. Bladen, Edward Ashe, Orlando Bridgeman. 3½ pp. *Enclosed*,

37. i. Extract of letter from President John Hamilton to Council of Trade and Plantations, 22 November 1736. [See *Cal. S.P. Col.* 1735-36, No. 458.] *Copy*. 1 p.

37. ii. Shrewsbury, New Jersey, 5 November 1736; Lewis Morris to Council of Trade and Plantations. A few days after my arrival at New York, I went to Perth Amboy in New Jersey where I stayed some time before such of the council as were alive and able to travel could be got together. I had heard that when they received



an account of my arrival at Boston they had entered into a combination not to deliver to me the seals and other insignia of the government on a pretence that my place was void in council by my being absent in England. But as I went thither to solicit my restoration to an office I was deprived of by Mr. Cosby for reasons which upon a hearing were reported to be insufficient, I could not conceive that absence to be within the meaning of H.M.'s 10th and 11th instructions; and this I thought pretty clearly determined in my favour by H.M.'s additional instruction to me and did not believe they would venture to dispute an authority that to me appeared to be indisputable. Enclosed copy of minutes of council and letter or report of the four councillors show that I was not misinformed and the printed proclamation herewith sent in which they have omitted H.M.'s direction to me (which it appears by the minute of council they were not ignorant of) shows some of the lengths they have ventured to go in opposition to H.M.'s authority.

You have herewith copies of two proclamations I have published, the one for the adjournment of the assembly, the other in obedience to H.M.'s instruction as is therein recited. These they have taken down in several places and in others threatened imprisonment to any that would set them up. And one Skinner, a missionary from the S.P.G., being at this place to bury one Forbes, a missionary to this country, forbade the clerk of the church on his peril to read or publish in the church the proclamation concerning the form of prayers notwithstanding my orders to the clerk for that purpose. This the clerk said, and I ordered one of my sons to read it.

The province is very much divided and distracted on this occasion and though I do believe that I could and lawfully might raise force enough to overcome any opposition yet in a young country as this is I choose to decline the use of violent measures unless compelled by necessity, submitting the whole to H.M. *Copy. 2½ pp.*

37. iii. Perth Amboy, 25 October 1736. Proclamation by President Lewis Morris adjourning the assembly of New Jersey to 16 November next. *Copy. 1 p.*

37. iv. Same place and date as preceding. Proclamation by the same of H.M.'s additional instruction to President Lewis Morris concerning form of public prayers. *Copy. 2½ pp.*

37. v. New Brunswick, 29 October 1736. Proclamation by President John Hamilton directing that no attention be paid to the proclamations of Lewis Morris and requiring that the form of public prayers contained in an additional instruction surreptitiously obtained by Lewis Morris should be observed. *Copy. 5½ pp.*

37. vi. Extract of minutes of council of New Jersey, 31 March 1736. It was the unanimous opinion of the board that John Hamilton take upon himself the administration of the government. *Copy. 1½ pp.*

37. vii. Same, 20, 21, 29 October 1736, recording confirmation of previous decision that John Hamilton should be president and order for the arrest of Lewis Morris for emitting proclamations. *Copy. 15 pp.* [C.O. 5, 980, *fos.* 94-119*d*; entry of covering letter in C.O. 5, 996, *pp.* 394-398.]

## 38

January 25.  
Whitehall.

Alured Popple to Benjamin Martyn. Mr. Fury, agent for South Carolina, has received directions from Carolina not to proceed on the complaint against the magistrates of Georgia until he has received

further instructions and proofs from the assembly of South Carolina. Consideration of this matter has therefore been postponed. *Signed. 1 p.* [C.O. 5, 639, *fos.* 25-26*d*; entry in C.O. 5, 401, *pp.* 197-198.]

**39**  
January 26.  
Whitehall.  
Same to Francis Fane, enclosing Act passed in North Carolina during the government of the late Lords Proprietors relating to biennial and other assemblies and regulating elections and members, together with a memorial from Mr. Smith, chief justice of that province, presented in 1732 relating to that and others laws of that province.<sup>1</sup> I am to desire your opinion whether the above Act, which does not appear to us to have been confirmed by the Lords Proprietors, is not by virtue of the constitutions and instructions mentioned in Mr. Smith's memorial of itself void and of none effect. Your opinion in point of law is requested thereon, on the difficulties mentioned in Mr. Smith's memorial and whether the aforesaid constitutions continued in force since the King made the purchase of the province. *Entry.* 1½ pp. [C.O. 5, 323, fo. 126, 126d.]

**40**  
January 26.  
Palace Court.  
Minutes of meeting of Trustees for Georgia. Mr. Vernon delivered copy of letter from S. Urlsperger dated Augsburg, 15 January 1737 (N.S.). [See No. 3.] Ordered, that a letter be sent to Mr. Bolzcius at Ebenezer to this purport. 1 p. [C.O. 5, 686, p. 349.]

**41**  
January 26.  
Whitehall.  
Order of Committee of Privy Council for Plantation Affairs referring the enclosed to Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal.* 1½ pp. *Endorsed*, Recd. 7 February, Read 8 February 1736/7.  
*Enclosed*,

41. i. Petition of Sebastian Zouberbuhler of the canton of Appenzell in Switzerland for a grant of land in South Carolina for the settlement of Protestant families. [See *A.P.C. (Colonial Series)*, 1720-45, p. 547.] 6½ pp. [C.O. 5, 365, fos. 186-191d.]

**42**  
January 26.  
Whitehall.  
Council of Trade and Plantations to Duke of Newcastle enclosing the following. *Signed*, Fitzwalter, Orlando Bridgeman, James Brudenell, Arthur Croft, R. Plumer. 1 p. *Enclosed*,

42. i. Extract of letter from Lieut.-Governor Clarke to Council of Trade and Plantations, 27 November 1736. [See *Cal. S.P. Col.*, 1735-36, No. 470.] 9 pp. [C.O. 5, 1086, fos. 125-133d; entry of covering letter in C.O. 5, 1126, fo. 20.]

**43**  
January 28.  
Georgia Office.  
Westminster.  
Benjamin Martyn to Alured Popple. The Trustees for Georgia very much regret the postponement from 8 February of the hearing of the complaints by South Carolina against the magistrates of Savannah; especially since the delay is indefinite, so that living evidence may be lost. They hope that a short day may be appointed for the hearing. No evidence to support the accusations has yet been produced. Delay was requested only when it became known that Mr. Oglethorpe had left for England with evidence to disprove the charges. *Signed.* 3½ pp. *Endorsed*, Recd. 28 January, Read 1 February 1736/7. [C.O. 5, 365, fos. 180-181d; entry in C.O. 5, 667, fos. 4d-5.]

**44**  
January 28.  
Georgia Office.  
Benjamin Martyn to Henry Newman. Mr. Vernon has laid before the Trustees for Georgia the copy of Mr. Urlsperger's letter of 15 January 1737. The Trustees in a letter to Mr. von Reck dated 27 July 1734 desired that the Salzburghers would send over a specification of their estates movable and immovable which they left behind them at Salzburgh and a proper authority to the Trustees or other persons they should think proper to receive the same for them. They have likewise given directions for a letter to be sent to Mr. Bolzcius to the said purpose,

<sup>1</sup> *Cal. S.P. Col.*, 1732, No. 302.



they not having yet received any answer to their former. Their present circumstances will not allow them to think of sending any more Salzburghers as yet to Georgia. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 5d.]

45      Petition of Richard Partridge, agent for New Jersey, to the King  
January 31.      setting forth the disputes now in New Jersey between Lewis Morris and John Hamilton both of whom claim to be president. Petitioner understands that the Council of Trade and Plantations have reported to H.M. in favour of a separate government for New Jersey and prays, for the ending of this controversy, that the King will consider this. *Signed.* 2 pp. [C.O. 5, 980, fos. 92-93d.]

46      Jean Jacques de Lacorbriere, a naturalized Englishman, to James  
[January 31.]      Oglethorpe, offering services for a settlement in Georgia of persons  
February 11 (N.S.).      of Geneva, all Protestants and good men. They are well versed in  
Geneva.      military affairs. Five hundred or thousand persons of both sexes could make the settlement or more if desired. I expect the same advantages for myself as Mr. Purry had in the settlement of Purrysburgh. I have discussed this plan with an Englishman, Stanton Degge, now in England; but I will come to London for further discussions if you wish. *Signed.* PS. One Milenet of this town is also soliciting through a Frenchman named Bousquet. I hope that if a colony is to be settled of persons from this country I shall be honoured with the preference. 4 pp. [C.O. 5, 639, fos. 184-185d.]

47      Alured Popple to Francis Fane transmitting for his opinion thereon  
February 1.      in point of law the following eleven Acts passed in South Carolina in  
Whitehall.      May 1736 and one ordinance passed in June 1736, vizt. Acts to empower commissioners of high roads; for appointing commissioners to lay out a road; for making current 210,000*l.* in paper bills of credit; for raising 30,387*l.* 3*s.* 7*d.* for charges of government; for regulating market at Charleston; for preventing accidents by fire in Charleston; for repairing and building fortifications; for encouraging the raising of hemp, flax and silk; for relief of poor of St. Philip's, Charleston; for incorporating vestry of St. Thomas parish, Berkeley County; for ascertaining public officers' fees; ordinance for asserting the right of H.M.'s subjects of this province to a free trade with the Creek, Cherokee and other Indians. *Entry.*  $3\frac{1}{2}$  pp. [C.O. 5, 401, pp. 199-202.]

48      Thomas Hals, one of the council of Jamaica, to Council of Trade and  
February 1.      Plantations. I should have replied immediately to yours dated September,  
Jamaica.      had I not been desirous that the other gentlemen to whom, as well as myself, it was directed should join in an acknowledgement. But as I have not found any inclination in them hitherto I can defer no longer. I do not doubt but the president has acquainted you of the resignation of the four gentlemen who formerly joined in some complaints to your board, and has sent you their reasons. But as they had not weight enough with me to enter into such measures I shall forbear further meddling. *Signed.* 1 small p. *Endorsed,* Recd. 22 April, Read 26 April 1737. [C.O. 137, 22, fos. 119, 119d, 124, 124d.]

49      Minutes of meeting of Trustees for Georgia. Received, a receipt from  
February 2.      the bank for 288*l.* 17*s.* 7*d.* from S.P.C.K., whereof 287*l.* 0*s.* 1*d.* is the  
Palace Court.      charge of 12 months provisions supplied the Salzburghers in Georgia over and above the three months provisions which they carried with them, and 1*l.* 17*s.* 6*d.* is for freight of copper halfpence, books and other things sent by the said society for the

Salzburghers by the *Two Brothers* in June last. Resolved, that the heads of a letter to Duke of Newcastle which were laid before the board this day be referred to a committee to draw up a letter thereon. 1 p. [C.O. 5, 686, p. 350.]

50 Richard Partridge to Alured Popple enclosing journals received from Governor Belcher who wishes to acquaint the Lords of Trade that he is making answers to their several queries and to their letter of 23 September last. *Signed*.  $\frac{1}{2}$  p. *Endorsed*, Recd., Read 8 February 1736/7. *Enclosed*, 50. i. Journal of House of Representatives of Massachusetts, 24 November 1736 – 9 December 1736. *Printed*. 23 pp. [C.O. 5, 879, fos. 111–124d.]

51 Alured Popple to Francis Fane enclosing ten Acts [*titles not given*] passed at New York in November 1736 for his opinion thereon. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 1126, fo. 20d.]

52 Lieut.-Governor John Pitt to Charles Delafaye. I wrote 6th November to the Duke of Newcastle desiring him to intercede with H.M. for leave to return home for the recovery of my health. For fear this and the duplicate have miscarried I beg you to speak to his grace for me that my leave may be procured as soon as possible. *Signed*. 1 p. *Endorsed*, Recd. 4 May. [C.O. 37, 29, fos. 69–70d.]

53 Order of Committee of Privy Council for Plantation Affairs referring the following to Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*. 1 p. *Endorsed*, Recd. 19 February, Read 24 February 1736/7. *Enclosed*,

53. i. Petition, dated 19 January 1736/7, of Trustees for Georgia complaining against the lieut.-governor, council and assembly of South Carolina for having opposed the execution of an Act for maintaining peace with the Indians in Georgia. [See *A.P.C.* (Colonial Series), 1720–45, pp. 511–512.] *Copy*. 2 pp. [C.O. 5, 365, fos. 192–194d.]

54 Order of Committee of Council referring the following to the Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*. 1 p. *Endorsed*, Recd. from Mr. Wood, 29 November, Read 7 December 1737. *Enclosed*,

54. i. Petition to the King of the merchants of London trading to South Carolina in behalf of themselves, the merchants of Bristol and all other merchants of this kingdom trading to that province, praying that the Act passed in May last by the assembly of South Carolina for issuing 210,000*l.* of paper bills of credit should be disallowed, it being a discouragement to the trade of this kingdom and the better settling of South Carolina. *Copy*. *Signatories*, Samuel Barons, William Hodshon, Thomas Hebert, John Thorpe, Peter Simond, Thomas Smith, Peter Flower, John Radburne, John Carruthers, William Somervy, Owen and Chamberlin, W. Gerrish, Edwin Somers, Samuel Baker, William Wragg, George Morley, John Nickleson, William Baker, Lambert Lance, Elgar Smith and Bonovrier, Ralph Noden, Thomas Hyam, David Godin, Joseph Wragg, James Pearce, John Hewlett, Richard Shubrick, Samuel Bonham, Henry Lascelles, S. Wragg, Benjamin Bell, William Atkin, William Vaughan. 1 $\frac{1}{2}$  pp. [C.O. 5, 366, fos. 24–26d.]



55

February 5.  
Antigua.

Governor William Mathew to Council of Trade and Plantations, acknowledging letter of 8 October last. By what informations I can get, of which I have sent an account to the Duke of Newcastle, the French numbers rather increase on St. Lucia, but on Dominica and St. Vincent they increase daily to great numbers and those two islands are now become almost complete settlements for them, at least till upon the first breaking out of a war they shall rather choose to remove to the English islands. But as those islands are near Barbados and within that government, doubtless you can have more perfect accounts from thence.

I intended by my letter of 14 November 1735 a full answer to yours of 13 August 1735 by informing you how those islands [*Anguilla, Tortola and Spanish Town*] had been governed for 40 years past. But I find I omitted giving you my opinion whether that sort of government, by a deputy-governor in each island and one lieut.-governor over the whole and a council in each of six of the chief inhabitants, would be best for H.M.'s service. I really can think of no better method, with the addition of an assembly to be chosen in each island by writs issued in H.M.'s name directed not to the freeholders only, there being many controverted titles among them, but at first (at least) to the planters also, as mentioned in my commission. I am unwilling to delay sending thus far an answer to you on this head, though for want of answers to the questions I sent to leeward on the first receipt of your orders I shall not be able before the next opportunity to account fully to you as to those islands. But I can now add that all those islands have been from time to time parcelled out to owners, first by short warrants from the deputy-governors, afterwards confirmed by patents from H.M.'s chief governors of these islands. I have long been preparing a map of those islands to offer to you and am at last pretty forward in that design. What are extant, and even those manuscript maps I have seen done by directions of the Admiralty, are far from exact. I hope to mend my draft heretofore done. I have now a person actually engaged in getting me the soundings round those islands and I hope my endeavours will be acceptable to you.

The Spanish armament at Porto Rico had no consequences, but our poor inhabitants daily quit these islands to settle on the Dutch part of St. Martin's and on Sta. Cruz. I cannot prevent it.

The case of the murder committed by White cannot be put in use on every such occasion. White was able to pay a King's counsel to go down and prosecute himself at the rate of little less than 80 pistoles. The honest person that went down to preach a session sermon on that occasion was conscientious enough to accept but 20 pistoles for it and a refreshing fee of 20 more for having preached mercy into the judges. Few of those poor inhabitants can support such trials, and if no such courts can be held by their own laws among themselves criminals that are poor must be criminals with impunity.

I am heartily sorry I passed the Act of Montserrat to prevent the French trade without a suspending clause; and I will attempt no extenuations of that fault by pleading a zeal for H.M.'s service and the welfare of his subjects here when I find myself condemned by you, but wholly submit myself to your pleasure. But I pray you will observe that law passed both houses of the legislature of Montserrat unanimously; since that, it passed the council of St. Christopher's; it never was offered at Nevis. But the addresses I enclose show that all Antigua wished for such a one and would be greatly thankful to you if some such relief was obtained by your intercession with H.M. for them.

The prosecutions against the negro conspirators in this island are near a conclusion and then I shall transmit to be laid before you a continuance to the end of the account I have already sent of that conspiracy.

I enclose the list of the councils in each of these islands with the remarks on them as directed by you, whereby it appears the appointments by my order were always necessary

to complete the number in each island of seven members present. And I have added to each list a fresh number of six persons who are in my opinion fittest to fill up vacancies.

The Spanish ship I mentioned to you in my letter of 17 June 1734 ran in the night on the Anegada Shoals and was lost, but all the passengers and crew and great part of a rich cargo were saved. The part of the cargo fell to the plunderers from Spanish Town and Tortola: some of these are dead, others now settled on Sta. Cruz. Among the passengers were the president of San Domingo and the present governor of Porto Rico, their ladies and families. It seems the ship, as I have been told, was greatly insured in Spain and the master suspected of a wilful want of care. The governor of Porto Rico once slightly mentioned it to me, but I am informed he dropped all formal complaint for that the people at Porto Rico had undertaken to do themselves justice and in truth an armament of above 400 of them attempted an attack on Spanish Town, but were shamefully kept from landing, though in their boats, by hardly more than the fire of smallarms from about 20 of the inhabitants. However, in obedience to your commands I will take care to get the best informations I can against such persons as were concerned. *Signed. 5 pp. Endorsed, Recd. 24 March, Read 25 March 1737. Enclosed,*

55. i. Address of Council of Antigua to Governor Mathew, 5 February 1736/7, acknowledging the wisdom and excellence of his government and particularly that no invasion or encroachment on trade can be offered by any rivals without retaliation, and doubting not that H.M. will either permit a law to be passed allowing retaliation or himself retaliate. *Signed, Edward Byam, Vallentine Morris, Nathaniel Crump, John Vernon, Josiah Martin, Charles Dunbar. 2 pp. Endorsed, as covering letter.*

55. ii. Address of Assembly of Antigua to the same, 1 February 1736/7, expressing concern at attempts in Great Britain to disadvantage Governor Mathew for passing the Montserrat Act. A law of this nature is absolutely necessary. Can a British spirit see the flagrant and repeated depredations committed by the French and not be inspired with the same just resentment that inspired you? *Signed, Thomas Kerby, speaker. 1½ pp. Endorsed, as covering letter.*

55. iii. State of councils in Leeward Islands, 5 February 1736/7.

St. Christopher's. In Mr. Mathew's instructions: Gilbert Fleming, Joseph Estridge, Sir Charles Payne, all present; John Garnett, in Carolina above two years and not expected back, without my leave; William McDowell, several years ago settled in Scotland, and Peter Soulegre, several years ago settled in London, I suppose both by H.M.'s leave; Charles Pym, present; Edward Mann, several years ago settled in England, I suppose by H.M.'s leave; John Douglas, Abraham Payne, Joseph Phipps, all present; William Mathew, dead. Appointed since by H.M.: John Williams, present; Charles Dunbar, resides almost entirely at Antigua. Six persons proper to supply vacancies: Drewry Ottley, Daniel Mathew, Richard Wilson, John Greathed, William Woodley junior, Ralph Payne.

Nevis. In Mr. Mathew's instructions: Gilbert Fleming, resides almost constantly at St. Christopher's; William Hanmer, in England, I suppose by H.M.'s leave; Michael Smith, present; Charles Bridgewater senior, dead; James Symonds, present; Michael Williams, resigned; James Brown, present; William Pym Burt, resides for many years past chiefly at St. Christopher's; Richard Abbot, dead; Cary Brodbelt, present; Thomas Butler and Daniel Smith, both in England many years, I suppose by H.M.'s leave. Appointed since by H.M.: Charles Bridgewater junior, present; Charles Dunbar, resides constantly at Antigua. Appointed very lately by Mr. Mathew to make up the number seven: Thomas Pym and William Clark, both present. Six



persons proper to supply vacancies: Thomas Herbert, Edward Abbott, John Woodley, John Williams junior, Roger Pemberton, Josiah Webb.

Montserrat. In Mr. Mathew's instructions: Gilbert Fleming resides almost constantly at St. Christopher's; Thomas Digges, many years in England, I suppose by H.M.'s leave; William Frye senior, dead; George Wyke and Richard Cooke, both present; Anthony Hodges, many years in England, I suppose by H.M.'s leave; Nathaniel Webb, in England on a year's leave from Mr. Mathew but expected back; Rev. James Cruickshank and John Dayly, both resigned; John White, never at the board, supposed to be intended for Michael White; John Roberts, in England, I suppose on H.M.'s leave; William Lyddle and John Bramley, both dead. Appointed by H.M.: Charles Dunbar, wholly at Antigua. Appointed by Mr. Mathew: Simeon Bonveron and George Wyke junior, both present; John Roynon, dead; John Osborn and John Webb, both present, appointed very lately to make up the number seven, and Simeon Bonveron from an apoplectic fit hardly able to attend now or ever. Six persons proper to supply vacancies: Michael White, Peter Lee, Nicholas Daniel,<sup>1</sup> — Earl, Charles Daly, James Watson.

Antigua. In Mr. Mathew's instructions: Gilbert Fleming, resides almost constantly at St. Christopher's; Edward Byam, present; Sir William Codrington, Bt., in England, I suppose by H.M.'s leave; Valentine Morris, Nathaniel Crump and John Frye, all present; Archibald Cockran, in England on one year's leave from Mr. Mathew; George Lucas, in Carolina by leave from Mr. Mathew for eight months but now returning; George Thomas, in England on one year's leave from Mr. Mathew; Francis Carlile and John Morris, dead; John Duer, for almost a year past at Montserrat without leave; John Vernon, present. Appointed by H.M.: Josiah Martin and Charles Dunbar, both present. Six persons proper to supply vacancies: Samuel Byam, Thomas Kerby, Edward Chester, Jacob Morgan, Richard Oliver, Henry Lyons. 4 pp. *Endorsed*, as covering letter. [C.O. 152, 22, fols. 325-334d.]

56

February 5.  
Antigua.

Same to Alured Popple, enclosing Act of Antigua for continuing Mr. Yeamans agent and Act of Montserrat for further restriction of slaves. *Signed*. 1 small p. *Endorsed*, as preceding. [C.O. 152, 22, fols.

335-336d.]

57

February 6.  
Charleston.

Lieut.-Governor Thomas Broughton to Duke of Newcastle. The enclosed is copy of a letter I received two days ago by Capt. Fox, commander of H.M. sloop the *Drake*, dispatched hither by Commodore Dent at Jamaica, by which you will discover the designs formed by the Spaniards to invade and unsettle the colony of Georgia and to excite an insurrection of the negroes of this province. The general assembly being now sitting, I communicated the contents to both houses and have with their concurrence prepared instructions to be sent by express to the agent of this province among the Creek Indians to use all effectual means to engage them in the interest of Georgia and this province; which I find the more immediately necessary by an account I received yesterday from an Indian trader just arrived from thence who informed me that some Spaniards and French were lately among them and made them presents and that some of their warriors were invited lately to St. Augustine with a view, I presume, to seduce them to the Spanish interest. The general assembly have directed presents now to be made them without reserve as our

<sup>1</sup> Blank in MS.

agent there shall see necessary to confirm their adherence to H.M.'s subjects of Georgia and this province.

I received also an account that two foreign gentlemen who came lately from St. Augustine have been for some days past at Port Royal forming a pretence to settle in this province and taking a view of the harbour and country. I yesterday sent orders to have them apprehended and brought hither. The Spanish designs seem the more probable from advice I have that the barracks at St. Augustine have been lately enlarged for the accommodation of 500 men more than usual and that the governor of that garrison sent to New York and this province for a large supply of provisions. I have therefore ordered an embargo to be laid on all vessels suspected to be going thither with arms or provisions. But as H.M.'s instructions are wholly silent on that head I had an Act of assembly yesterday passed to make my authority the more clear from exception. I have also ordered all Spaniards in this port to be secured, there being a sloop with some lately come in here, pretends distress of weather and want of provisions.

There came a packet of letters at the same time with mine from Commodore Dent directed to the President of Georgia, I presume of the same purport, which I sent thither with assurances to the head bailiff there that I shall take all measures equally for their safety and our's and desiring him to dispatch some persons hither to inform me of their strength and condition and to concert with me on the most proper means for their security.

The inhabitants about Port Royal being but thin, I am about issuing orders to have 100 men immediately raised upon pay to scout about and watch the inlets and shall forthwith send up some cannon with an engineer to form some convenient batteries and in a few days a sloop will be fitted out at the expense of the public to cruise on the coasts of both colonies. I have consulted with Capt. Windham, commander of the *Rose* man-of-war on this station who has sent at the request of me and the council for Capt. Compton at Virginia, and if suspicions ripen will send for another ship to the New York station. I have also ordered a general muster of all the militia throughout the province and as our negroes are very numerous and more dreadful to our safety than any Spanish invaders, there is an Act of assembly now preparing to have strong patrols established in all convenient districts. I am also sending for some Cherokee Indians to come down to the settlements to be an awe to the negroes.

These are principally the steps I have yet taken or resolved upon on this occasion and what I shall further discover or proceed in shall be carefully communicated to you as opportunity serves. H.M.'s paternal care is so extensive to all his subjects that we doubt not of his timely assistance as it shall appear to be necessary. I have only to add that the people of this province in general show a true attachment to H.M.'s interest and service and will, I doubt not, behave with approved courage on any emergency. *Signed.*  
2 pp. *Endorsed*, Recd. 31 March. *Enclosed*,

57. i. Jamaica, 6 January 1736/7. Commodore Digby Dent to Governor of South Carolina. The enclosed came to hand the 23rd of last month and came by way of Cartagena in one of the Asiento vessels, so that between its date and my receiving it is near seven weeks; however, as soon as possible have dispatched H.M. sloop the *Drake*, Capt. Fox commander, and hope will arrive time enough to prevent any surprise to your neighbouring colony if any villainy is designed. I must beg you will conceal as much as possible the gentleman's name who gives the information as it may be of the utmost ill consequence to him as well as to the South Sea Company's affairs should the Spaniards know from whence it comes. And if any such design is in agitation it is very possible that this D'Tombe may in some disguise or other make an errand from St. Augustine to see what posture Georgia is in; I am in hopes by



that means he may be secured and brought to justice for his villainy. I have by this opportunity written to all commanders of H.M.'s ships stationed near you and sent them duplicates of the enclosed. Please own receipt. *Copy*. 1½ pp.

57. ii. Santiago de Cuba, 3 November 1736 (N.S.). Leonard Cocke to Commodore Digby Dent. *Copy*, of *Cal. S.P. Col.*, 1735-36, No. 469. 2½ pp. [*C.O.* 5, 388, *fos.* 137-138d, 141-144d.]

58            Same to Council of Trade and Plantations. [*In substance same as No. 57 but briefer.*] 2½ pp. *Endorsed*, Recd. 29 March, Read 30 March 1737. *Enclosed*,

58. i. *Copy*, of No. 57 i.

58. ii. *Copy*, of No. 57 ii. [*C.O.* 5, 365, *fos.* 197-201d.]

59            Same to Trustees for Georgia, communicating advices from Commodore Dent of Spanish design to destroy Georgia. Full particulars have been sent to Duke of Newcastle. The most effectual measures have been and will be taken to contribute to the defence of Georgia. I have already given orders to raise forces upon pay to reinforce our settlements which lie nearest to Georgia, and we are now fitting out a vessel to cruise between the coast of Georgia and Florida to watch the motions of the Spaniards and to gain and give intelligence. I shall consult and concert measures with those who have the administration in Georgia. *Signed*. 2½ small pp. *Endorsed*, Recd. 4 May 1737. [*C.O.* 5, 639, *fos.* 159-160d; duplicate at *fos.* 171-172d, *endorsed*: Recd. 29 March 1737; *copy*, *endorsed*: Recd. from Trustees for Georgia, 4 April, in *C.O.* 5, 654, *fos.* 89-90d.]

60            Petition of William Shirley, Advocate-General in Massachusetts, New Hampshire, Rhode Island, Providence Plantation and the Narragansetts country in New England, to Council of Trade and Plantations. H.M. having no attorney-general in those parts, petitioner's own work is exceedingly laborious and his expenses great; he prays for a salary of 300*l.* sterling a year. *Signed*, for the petitioner, Francis Shirley. 1 p. *Endorsed*, Recd. 8 February, Read 11 February 1736/7. [*C.O.* 5, 879, *fos.* 125, 125d, 132, 132d; *copy* in *C.O.* 5, 752, *fos.* 298-299d.]

61            Memorial of Thomas Walker, Daniel Smith, Wavel Smith, Henry [February 9.1] Slingsby, Augustus Boyd & Co., and Edward Jesup for themselves and many friends and correspondents in the Leeward Islands, to Duke of Newcastle. Memorialists some time since presented a petition to H.M. setting forth the seizures of French ships made by Governor Mathew under a pretended law of Montserrat; the fitting out by Governor Mathew, previous to the said law, of a sloop of his own and the confiscation of a French ship without any legal trial; and their apprehensions of French reprisals. But they have not yet been called upon to prove their allegations.

The many depredations of which Governor Mathew has been guilty appear by the annexed list. Had M. Champigny not acted with more caution and prudence than Mr. Mathew we should long ago have been plunged into a dangerous and unequal war. We can easily show that the governor's only motive was his desire of gain. The principal prizes have been taken by the *Pall Mall*, a sloop belonging to and fitted out by Governor Mathew which entitles him to two-thirds of those captures; he has tried to defraud H.M. of his share.

<sup>1</sup> See *A.P.C. (Colonial Series)* 1720-45, p. 543.

The continuing among us a governor who suffers himself to be carried away by rapacious appetites without regard to law or natural justice may be productive of great mischief. Mr. Mathew's agents have artfully represented to you that there still is a plot subsisting among the negroes in Antigua and that Mr. Fleming, our lieut.-general, is coming home upon the public business, so that should Mr. Mathew be now recalled the islands would be destitute of a proper person to command in case the negroes should carry their plot into execution; but we have certain accounts that no danger is now to be apprehended from that conspiracy. Should H.M. send for Governor Mathew and Governor Fleming return to England on H.M.'s service, the government would devolve on Edward Byam, lieut.-governor of Antigua, whose courage, experience and loyalty are well-known. *Copy. 2½ pp. Enclosed,*

61. i. List of vessels condemned in Montserrat by virtue of an Act passed there 5 June 1736: 12 July 1736, sloop *Catherine*, Charles Chenez master; 19 July 1736, *Fleurion*, John Avice master; 7 August 1736, sloop *Two Sisters*, John Romain master; 15 September 1736, sloop *Dolphin*, Daniel McDaniel master; 19 October 1736, schooner *Prosperity*, John Boudewyne master; 30 October 1736, sloop *Wig Box*<sup>1</sup>, Francis Renau master; 20 November 1736, shalop *St. Dominique*, Robert Borvelio master; 20 November 1736, shalop *St. James*, John Kittle master; 13 December 1736, sloop *Loving Jane*, Peter Chestnutt master. [*Details of cargo given in each case.*] 1 p. [C.O. 152, 44, fos. 81-84d.]

## 62

February 9.  
Palace Court.

Minutes of Common Council of Georgia. Resolved, that 10 guineas be advanced to Mr. Vat on account till his claim can be settled. Agreed, to the payment of 200*l.* to the owners of the *Two Brothers* on account of freight till their claim can be settled. Resolved, that 10 guineas be paid to Archibald MacBean who was sent to England by Mr. Oglethorpe to go to Scotland for servants. Resolved that 75*l.* be paid to the secretary for half-year's salary due at Christmas last. Same to be paid to the accountant. Resolved, that 50 acres of land be granted to John Venables on his paying his own passage and his father's paying 12*l.* to indemnify the Trust for his subsistence for one year. Resolved that 25*l.* be paid to John Lewis Tschiffelly, Mr. Causton having sent a receipt of a bond for the said sum to be paid by the minister at Purrysburgh. Received, an account from Thomas Causton of provisions and arms received for the colony amounting to 263*l.* 8*s.* 1*d.*; ordered, that the accountant pay the same if he finds it to be true. Read, a memorial of Capt. William Thomson on his last voyage to Georgia and return to England; referred the same to the committee of accounts. Resolved, that a bill of exchange for 100*l.* drawn by Mr. Ellis on Mr. Oglethorpe dated 8 December 1736 Philadelphia, on account of madeira wine, be accepted and paid when due. Resolved, that 700*l.* be paid into the hands of Ald. Heathcote on account; signed a draft for the same. Resolved, that Mr. Oglethorpe, Thomas Tower, and Mr. Laroche and any others of the Common Council who will attend be a committee to confer with Mr. Paris on Monday next on the state of the evidence to be brought before the Council of Trade and Plantations on the representation of the government of South Carolina and to consider how to perpetuate the said evidence in case the hearing be put off. Received, a receipt from Mr. Oglethorpe dated 3 November 1736 for eight servants whose indentures were delivered to him by Lieut. Hugh Mackay and for which he had agreed to pay him 120*l.* for the use of the Trust; ordered, that the said sum be paid when due. Agreed to the payment of 31*l.* 10*s.* 22 December last as a further advance to Mr. Von Reck on his going to engage foreign servants for Georgia. 4 pp. [C.O. 5, 690, pp. 49-52.]

<sup>1</sup> MS. 'Wigg Box'.



63

February 9.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Rev. Dr. Hales, 100*l.* the benefaction of Mrs. Dyonisia Long to be applied towards the support of the missionaries in Georgia. Received by the same 18*l.* 18*s.* benefactions of various persons to be applied towards support of missionaries and schools for instructing and converting the Indians in Georgia. Resolved, that Lord Tyrconnel, Mr. Oglethorpe, Thomas Tower, Mr. Hucks and Mr. Laroche or any two of them be appointed a committee for preparing a petition to the House of Commons for a supply for the further establishment and security of Georgia, and any gentleman who will attend to be of the said committee. Read, a letter to Duke of Newcastle; ordered, that the same be sent with a copy of the treaty concluded with the Spaniards at St. Augustine. Received, by Earl of Egmont, 100*l.* benefaction of John Hough, Bishop of Worcester, to be applied for the use of the Salzburghers only. Resolved, that the thanks of the Trustees be returned to the bishop. Ordered, that the secretary write to the Bishop of Bath and Wells to desire his licence to Rev. Dr. Coney at Bath to let Mr. Whitefield preach there for a collection for the missionaries in Georgia, Lady Cox and others having desired the same. Resolved, that Mr. Oglethorpe acquaint the Lords of Admiralty of Capt. James Gascoigne's zeal and activity for Georgia and thank them for sending Capt. Gascoigne to Georgia. 3 *pp.* [C.O. 5, 686, *pp.* 351-353.]

64

February 9.  
Charleston.

Extract of letter from Mr. Thorpe to his brother-in-law in London. Our assembly are sitting day and night and sat Sunday last all day and are making vast preparations on account of an express they have received of a large fleet being well manned at Cuba with design to invade this province. What Spaniards we have in the town and province are seized and made close prisoners on board the man-of-war. There is an embargo laid on all vessels bound for England or elsewhere so that I despair whether the ship which is to carry this letter will be suffered to sail, no corn, rice or other provisions being allowed to be shipped off. Col. Barnwell is dispatched to Beaufort by order of the assembly to alarm the southern parts and I have sent orders to my plantation to provide all the horses I can to be in readiness. We have several vessels already cruising upon the coast. You may remember the Spanish friar who came here from Augustine some time since, whose business was to get as many Spaniards as he could that were scattered up and down this province in the service of the English as their rangers and cattle-hunters, and he has carried several of them off with him. We have the good fortune to have more vessels in the harbour than ever I saw here at one time and about 800 newcomers (Swiss and Irish), and we expect every minute an order to arm and send them away to strengthen the southern frontiers. Capt. Chillcroft is dispatched to bring down the Creek Indians and Col. Butler the Cherokees. The bridges about the town are building and the cannons mounting. Messengers are dispatched to Virginia and New York for ships and men to come to our assistance. *Copy*, certified by Francis Moore. 1½ *pp.* *Endorsed*, Recd. 9 April from Mr. Oglethorpe. [C.O. 5, 654, *fos.* 95-96*d.*]

65

February 9.  
Whitehall.

Order of Council approving report from Committee for Plantation Affairs that Thomas Harrison should be a member of the council of Barbados in the room of Mr. Peers, deceased. Duke of Newcastle to prepare the warrant. *Copy*, certified by W. Sharpe. 1½ *pp.* *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 28, 24, *fos.* 212-213*d.*; warrant in C.O. 324, 37, *p.* 40.]

66

February 9.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. In pursuance of your order of 10 July last we have considered the state of the paper currency in Massachusetts, New Hampshire, Connecticut and Rhode Island.

Massachusetts. By an Act of 1698 it appears that several persons in 1692 advanced money for the use of the public by their own bills of credit, the assembly allowing six per cent. interest from the time they became due for repayment. What quantity was issued and when they were paid off does not appear. By an Act of 1702 bills of credit to the amount of 10,000*l.* were to be issued towards payment of the public debts and for the support of government: these bills were to be accepted in all public payments equivalent to money and after the rate of five per cent. more. The duties of impost and excise were made a fund for repayment of those bills and a tax of 6000*l.* was laid on polls and estates to make good the deficiency. By the minutes of the council in assembly of 17 July 1703 it appears 5000*l.* bills of credit were ordered to be imprinted and issued. In 1714 an Act was passed for emitting 50,000*l.* in bills to be lent out at five per cent. interest, principal and interest to be repaid in five years. In 1716 an Act was passed for the issue of 100,000*l.* in bills to be sunk in ten years. In 1721 another Act was passed for emitting 50,000*l.* in bills of credit to be lent on mortgages. When these bills were returned to the treasury they were reissued as required by vote of assembly only for certain terms.

This issuing bills of credit in such large quantities and by virtue of a vote only having been found to be of bad consequence, Governor Belcher was in 1730 instructed not to pass any Act for issuing bills of credit without a clause for suspending execution till H.M.'s pleasure should be known, except only for the annual support of government not exceeding 30,000*l.*; and to take especial care that not more than 30,000*l.* be ever current at the same time; and that the bills already issued should be called in and sunk according to the provisions of the Acts by which they were issued.

Governor Belcher arrived at his government 10 August 1730 and in September following he passed an Act for supplying the treasury with 13,000*l.* in bills of credit; it appears that this sum was then in the treasurer's hands and had been received by him for taxes. These bills were made legal tender in all public payments. The duties of impost and excise and all other incomes were made the fund and security for the payment of the said bills; the sum of 13,000*l.* was by the same Act granted to be raised in 1741 as a further security. In 1731 an Act was passed for payment of members of the council and representatives by which 3500*l.* in bills of credit then in the hands of the treasurer was to be emitted; by the said Act a tax was laid to discharge the said sum. In April 1731 another Act was passed for supplying the treasury with 6000*l.* of the like bills with the like fund and security for their being called in again in 1734, as they have accordingly been. In November 1731 another Act was passed for supplying the treasury with 5400*l.* to be repaid on like security in 1738. In the same year was passed an Act for payment of members of council and representatives by which 5000*l.* in bills of credit in the treasurer's hands was emitted, and a tax laid at the same time to discharge the same. In February 1731/2 another Act was passed for supplying the treasury with 3800*l.* for payment of Francis Wilks, to be repaid on like security in 1736 except that the impost and excise are not mentioned: these bills are to be received in all public payments and it appears by these Acts that all these bills were such as had been received back into the treasury.

Notwithstanding the aforementioned instructions to Governor Belcher, in November 1733 he gave his assent to an Act for supplying the treasury with 76,500*l.* bills of credit for discharging the public debts etc. and for establishing the wages of sundry persons in the service of the province. These bills were such as had been paid into the treasury



by virtue of former Acts; and the said 76,500*l.* is to be drawn into the treasury by several taxes to be raised, vizt. in 1733, 6500*l.*; in 1734, 3525*l.*; in 1735, 13,525*l.*; in 1736, 11,725*l.*; in 1737, 13,525*l.*; in 1738, 4125*l.*; in 1739, 5525*l.*; in 1740, 5525*l.*; in 1741, 12,525*l.* In February 1733/4 an Act was passed for repairing Castle William by which 2700*l.* then in the treasurer's hands was reissued, to be drawn into the treasury by taxes: in 1737, 1350*l.*; in 1738, 1350*l.* In May 1734 an Act was passed for supplying the treasury with 27,371*l.* 13*s.* 4*d.* bills of credit and for issuing 2198*l.* 18*s.*, a surplus remaining in the hands of the treasurer to be drawn in by taxes: in 1734, 4000*l.*; in 1735, 15,000*l.*; in 1736, 8371*l.* 13*s.* 4*d.* In 1735 Governor Belcher passed an Act for supplying the treasury with 33,269*l.* 4*s.* 8*d.* bills of credit to be called into the treasury again by taxes: in 1735, 3000*l.*; in 1736, 10,089*l.* 14*s.* 10*d.*; in 1737, 20,179*l.* 9*s.* 10*d.*

It appears therefore that there were bills of credit issued during Governor Belcher's government more than are yet drawn in again: in 1730, 13,000*l.*; 1731, 5400*l.*; 1732, nil; 1733, 41,225*l.*; 1734, 2700*l.*; 1735, 20,179*l.* 9*s.* 10*d.* Bills of credit issued before Governor Belcher's arrival, 1721-1729, yet outstanding: 68,000*l.* Total of bills standing out at Christmas 1736 besides what may remain of old bills beforementioned to have been current in 1702, for sinking of which it does not appear any provision has yet been made: 150,504*l.* 9*s.* 10*d.* There are other bills current in the province issued on the security of a new bank erected at Boston in 1733 for circulating 110,000*l.* in notes of hand, payable in silver at 19*s.* per ounce or in gold at 13*l.* 13*s.* 1½*d.* per ounce to be let out at 6*l.* per cent. and to be redeemed in ten years.

New Hampshire: has always strictly adhered to its governor's instructions. By the best information we have they have not issued above 10,000*l.* in bills, part of which is already sunk and the remainder must be called in by 1743. These bills were circulated by lending them out on mortgages at five per cent. To supply the want of money in this province some persons of the best estates and rank there formed an association for issuing notes at one per cent. interest to the value of 6000*l.* The assembly of Massachusetts tried to discredit this currency by an Act passed in 1735 against which we reported to you on 17 March last.

Connecticut: a charter government which keeps little or no correspondence with us. By their printed Acts it appears that in 1731 they had about 48,994*l.* 5*s.* 4*d.* outstanding in bills of credit, for the payment of which they had no fund appointed by the said Acts. What they have issued since 1731 does not appear.

Rhode Island: another charter government. By their laws to 1728 it appears that they had about 82,000*l.* in bills outstanding. But by a letter of 17 May 1732 to Mr. Partridge, agent of that colony, it appears that there was government paper money current to the amount of 180,000*l.*; and by a paper received from the agent of New England relating to the Boston bank in 1733 it appears that more bills to the value of 104,000*l.* had lately been stamped. So that their paper money then amounted to 284,000*l.* but their credit was so low that at the beginning of this year the paper money in New England in general was at the rate of 530*l.* for 100*l.* sterling. We are informed that the Rhode Island bills are lent out on security at five per cent. interest, which revenue is sufficient to answer the expense of their government. *Entry. Signatories*, Fitzwalter, O. Bridgeman, T. Pelham, R. Plumer, J. Brudenell. 14 pp. [C.O. 5, 917, fos. 82*d.*-89; draft in C.O. 5, 897, fos. 123-133*d.* with tables showing the state of the paper currency in Rhode Island and Connecticut.]

67

February 9.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. We have considered 26 Acts passed in Massachusetts in 1733 and 1734 referred to us by you on 22 March 1733/4 and 13 January 1734/5. Mr.

Fane has no objection in point of law to any of them and no objection has been made to us. Eight of these Acts were temporary, vizt. for granting duties on shipping; for apportioning tax of 7987*l.* 16*s.*; for perambulating the boundary between this province and Connecticut; to empower and oblige surviving commissioners of the 100,000*l.* loan in the county of Hampshire to settle their accounts; for granting 3000*l.* for support of the governor; to prevent nuisances in the Merrimac river; for granting duties on shipping; for apportioning taxes of 16,015*l.* 12*s.* and 6342*l.* 8*s.* Fifteen were for the private convenience of the province and we see no reason why H.M. should not confirm them, vizt. Acts for erecting the plantation of Housatonic into township of Sheffield; to provide for precinct or parish meetings; for settlement of estates of intestates; to alter times for holding the courts; to erect the plantation of Pennycook into the town of Rumford; for punishment of criminals; to prevent encroachments on highways; concerning prisoners for debt; to prevent unnecessary law-suits; for regulating proceedings on bonds of administrators or intestate estates; to exempt Anabaptists from taxes for support of ministers; for regulating townships; for erecting the town of Halifax in county of Plymouth; for dividing the town of Enfield and erecting the new town of Somers; for a new township of Litchfield at Naticook on River Merrimac.

Three were for issuing paper bills of credit, vizt. Acts for supplying the treasury with 76,500*l.* bills of credit for discharging public debts (passed in November 1732); for repairing Castle William and supplying the treasury with bills of credit for the charge thereof (passed in February 1733/4); for supplying the treasury with 27,371*l.* 13*s.* 4*d.* bills of credit and for issuing the sum of 2198*l.* 18*s.* a surplus now in the hands of the treasurer for discharging public debts (passed in May 1734). These not being agreeable to H.M.'s instructions we should have reported for their repeal but for the confusion into which we apprehend that step might throw the province. There remains from these Acts but 43,925*l.* current which must all be called in by 1741. We submit it to you whether it may not be advisable to let them expire of themselves and to send the governor a peremptory instruction not to give his assent to any Act of this nature without a suspending clause. *Entry. Signatories, Fitzwalter, O. Bridgeman, R. Plumer, T. Pelham, James Brudenell. 6 pp. [C.O. 5, 917, fos. 89d-92; draft in C.O. 5, 897, fos. 134-137d.]*

68

February 9.  
Georgia Office.

Benjamin Martyn to Duke of Newcastle. Since the representation which the Trustees desired you to lay before H.M. on 20 October last on the matter of the letter which you received from M. Geraldino, agent for the King of Spain, containing several complaints against the inhabitants of Georgia, the Trustees have made further enquiry into the said complaints. As to the first matter of complaint, the Trustees have received full evidence that none of the new colony of Georgia were concerned in the attacking any fortress in the territories of the King of Spain on 3 March last or at any other time; but the same was done by the Indians in revenge of injuries and hostilities offered to them by the Spaniards as specified in the Trustees' said representation.

As to the complaint received by the governor of St. Augustine from the lieutenant of Fort St. Mark, the Trustees have received evidence that the forts which they have built are all within the territories of the King of Great Britain and erected at the desire of the Indians, being necessary for the defence and peace of the country; and no forts have been built by the Trustees within the territories of the King of Spain nor in any of the Indian nations belonging to him.

As to the further complaint that a party of 300 English had appeared on the frontiers of the province of Apalachee and that having set up a standard of war in a town of



Indians called Apalachicola they had summoned the chief town of the abovesaid province, called Caveta, to join them in order to make war against the Spaniards, acquainting them at the same time that they were resolved to demolish the fort of St. Mark and afterwards to besiege St. Augustine, the Trustees find the same to have been made without any just ground and that the apprehensions which the governor of St. Augustine had entertained arose from the behaviour of one Drake, an inhabitant in Charleston in South Carolina, who was sent up from thence with certain traders into the Indian nation without the knowledge and contrary to the orders of the Trustees and who hoisted colours and did other actions for which they who sent him only are answerable; but the like of which (it is to be hoped) will hereafter be prevented by the wise regulations H.M. has made by an Act for maintaining the peace with the Indians in Georgia, by which persons without licence from Georgia are prohibited from going up amongst the Indians within the province of Georgia and by settling the country with towns under proper magistrates and communications. And further advantages will thereby accrue by preventing disorderly persons from taking refuge as heretofore in the woods on the frontiers who there used to commit murders and ravages and all kinds of disorders which neither the governor of St. Augustine nor the governor of South Carolina could prevent or punish.

The Trustees are assured that the governor of St. Augustine was fully convinced of the various arts used to create misunderstandings between Georgia and Florida and perceived the groundlessness of the reports that had been spread as soon as an open and safe correspondence was procured between Mr. Oglethorpe and him, so that on 22 October (N.S.) last he signed the enclosed treaty. And in order to remove all umbrage Mr. Oglethorpe drew off the garrison from Fort St. George which is on the same spot that was fortified by Sir Francis Drake in the reign of Queen Elizabeth. Mr. Oglethorpe's conduct has fully answered what M. Geraldino hoped it would by establishing a better intelligence between the inhabitants of Florida and those of the King of Great Britain's dominions in their neighbourhood. Which state of the said complaints now sent you together with the former representation sent to you on 20 October last, the Trustees apprehend contain a full answer to the several matters they were directed to enquire into. *Signed. 4 pp. Enclosed,*

68. i. Treaty between James Oglethorpe and the governor of St. Augustine, made in St. Augustine, Florida, 18 October (N.S.) 1736. This agreement is without prejudice to the ancient right of the Spanish King over the lands which Mr. Oglethorpe has peopled and fortified, he alleging they belong to the King of Great Britain. (1) The contracting parties shall each restrain their subjects and vassals, including Indians, from hostilities against those of the other. (2) They agree that satisfaction has been given once, twice and even thrice to the nations of free Indians called 'Uds'.<sup>1</sup> (3) The island of St. George (*alias* St. John) to be dispeopled within 14 days, the fort destroyed, the garrison withdrawn, and no further settlement to be made there by either side, without prejudice to Spanish claim to that territory. Spanish ships putting into that island through weather shall not constitute a breach of this treaty. (4) Subjects in each of the two governments are not to molest the other. (5) Differences concerning boundaries to be settled by the two courts. (6) Subjects in each of the two governments are not to enter the territories of the other without licences from their governor. *Spanish. 6 pp. Endorsed, Recd. 11 February 1736/7 from Trustees for Georgia. English translation, annexed. [C.O. 5, 654, fos. 66-73d, 93-94d; entry of covering letter in C.O. 5, 667, fos. 6-7.]*

<sup>1</sup> *Sic* in both Spanish and English versions: should perhaps be Uchi.

69 Same to Bishop of Bath and Wells asking permission for Dr. Coney to let Rev. Mr. Whitefield preach at Bath for promoting a collection by Lady Cox and other ladies for the support of a mission to convert the Indians in Georgia. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 667, *fo*. 7.]

70 Thomas Causton to Trustees for Georgia. [This letter is referred to in [February 10.] No. 269; and probably also in the Earl of Egmont's diary<sup>1</sup>. But it does not appear to have been preserved amongst the Georgia Records. The following documents were enclosures to it.]

70. i. Charleston, 4 February 1737. Lieut.-Governor Thomas Broughton to Thomas Causton. The enclosed packets came to my hands by Capt. Fox, commander of H.M. sloop *Drake* and forwarded from H.M.'s commodore at Jamaica, the contents of which will notify the necessity of your immediate care to have all things in readiness to make a stand against any attempts of H.M.'s enemies against Georgia or this province. The advice I received but yesterday; and have this morning conferred with Capt. Windham, H.M.'s commodore here, who is to-morrow to send to Virginia to Capt. Compton to repair to these coasts for our protection. The council and assembly are heartily disposed to make all preparations of equal service for Georgia as for this province and I immediately sent expresses to the Creek and Cherokees to engage their adherence to both colonies. You will think it advisable to send some persons speedily hither to inform me of your strength and condition and what measures may be best concerted for your service, and let Capt. Gascoigne be speedily acquainted by forwarding the enclosed packet to him. You may depend upon frequent advices and expresses as occasions shall occur and all discoveries or advices that you receive be pleased to communicate them without delay. I doubt not but you will judge it necessary to have the scouts on the coasts very watchful and to prevent as much as possible any people or intelligence going to St. Augustine. *Signed*. PS. The better to secure the Creek Indians in the interest of H.M.'s government and to prevent their falling into that of the Spaniards and French, this government has sent an agent into that nation; and now believing it necessary to send advice to said agent of these proceedings of the Spaniards with some instructions proper on the occasion, I cannot doubt but you will think it necessary in case the agent of Georgia should happen to be in that nation that you will immediately instruct him not to give any umbrage but on the contrary to act in concert with the agent of this government in all matters relating to the peace and welfare of both colonies.  $1\frac{1}{2}$  pp. *Endorsed*, Col. Broughton's letter per Mr. H. Bryan. [C.O. 5, 639, *fo*. 156, 156d.]

70. ii. Savannah, 9 February 1737. Reply to preceding. Yours of 4th inst. was delivered me by Hugh Bryan on 6th in the evening. I immediately forwarded the letters enclosed as directed and gave to all the southern settlements their necessary precautions which by this time I believe they have received. I have also taken care here for the several settlements in these parts to put them in a posture of defence. Our people are very alert and in a few days shall be able to muster 500 men completely armed. I acknowledge gratefully your kindness and that of the council and assembly. I will not be wanting to give you intelligence of all discoveries or advices I receive. I thought it necessary to give immediate orders not to suffer any one to pass through any parts of this province without permits: those from this place are signed by me; and I believe you will think it necessary to give the like orders concerning boats coming from your province. Hitherto we have discovered no imminent danger and the boats lately arrived from the southward bring no alarms from that

<sup>1</sup> *Egmont Diary*, II, 396.



quarter, and the Indians who are just now returned from their hunt have seen nothing stirring. *Copy.* 1 p. [C.O. 5, 639, fo. 168.]

70. iii. Port Royal, 6 January 1737. Commodore Digby Dent to Governor of Georgia. [Same as No. 57 i. to Governor of South Carolina.] *Copy.* 1½ pp. [C.O. 5, 639, fos. 94-95d.]

71

February 10.  
Savannah.

Thomas Causton to James Oglethorpe, advising of bills of exchange drawn on him as follows: 50*l.* sterling to Rowland Pitt and John Tuckwell, 30*l.* sterling to Thomas Hucks for like sum received here of

John Brownfield, both of this date. Also as previously advised 50*l.* to Charles Purry by bill dated 10 January last. *Signed.* 1 small p. *Endorsed,* Recd. 6 April 1737. [C.O. 5, 639, fo. 165.]

72

February 10.  
Savannah.

John Brownfield to Trustees for Georgia. I wrote by Capt. Thomson 20 November. My health was then very low and prevented me from saying anything satisfactory, but it was some comfort that I could

send you a copy of the deed whereby lands have been conveyed to a part of the freeholders of Savannah. I shall not presume to enter anything in the large register book without your orders but will keep a small book for inserting immediately all things which may happen in my employment; and I intend from time to time to send you copies of the said book that they may receive such amendments and corrections as you are pleased to make before they are finally ingrossed. I have indeed had your commission as register but must confess that I never yet did anything deserving of so extraordinary a favour. Continual illness has prevented me from doing the business which my duty called me to. Last summer my whole family was ill for several weeks together; one of my servants was drowned in this river; and another servant attacked me with a sword. He was committed to prison and died before trial. Hence the delays in discharging my duty.

Had the surveyor (Mr. Jones) given me proper helps by returning plans of his work I should last spring have made a considerable advance in the rough register before my illness grew violent. But though I have often asked him for accounts of the lands which he has run out yet he never delivered me any, and it is impossible that I can register without proper plans and certificates from the surveyor. As it would be acting partially not to mention his reasons for this delay I shall insert them here. Mr. Jones being lately at Mr. Causton's house I happened to go thither and spoke with him concerning the lands. He said that it was not in his power to draw plans or make proper certificates of his surveys for want of time; that his field works were not yet made out fair but remained upon different pieces of paper for the same reason, it being work enough for any one man to draw plans and certify them; that the pay Mr. Oglethorpe agreed to allow would not afford hands necessary for the business nor pay him anything for his labour; that the articles of agreement for surveying were never executed on his part because he could not before Mr. Oglethorpe's departure judge of the labour which that employment would require and therefore he only undertook it (by way of trial) for a year. Mr. Jones urged as a proof of the insufficiency of the pay that he employed one Ford to survey the farm lots belonging to Derby Ward and the money which Ford had for that work was more than Jones himself could receive for surveying the whole township. Mr. Causton told him that he should immediately have acquainted the Trustees with these difficulties and not have suffered the duty to stand still. He replied that Mr. Oglethorpe knew how the affair stood and therefore he thought there was no great need of writing to the Trustees about it. Mr. Causton farther told him that if he would acquaint you with the case no encouragement should be wanting to enable him to go on till your answer

came over. Mr. Jones said that he must be out of town to mark the western road which would prevent his writing, but desired me to mention it in my letter.

Though the difficulties occasioned by their want of lands have been many to the inhabitants of this part of the province, yet there are several hardships which some people lay under after they have obtained their lots. I believe you will find these very material and they may in some measure account for the slow progress which has been made in cultivation. A considerable part of the lands lie in cypress swamps and are continually covered with water: the expense of draining them will be much greater than poor people can sustain and consequently such lands must continue unimproved. Other lots happen upon pine land which being poor produce very little when cultivated and therefore the persons entitled to such are obliged to spend much of their time by working in town for money to help forward their maintenance. Several, when they have raised crops of corn or other grain, have lost the major part for want of roads to bring it home, and many have suffered vast losses by their neighbours' cattle breaking in and destroying; besides which the wild deer and insects devour abundance. Perhaps the latter part of these inconveniences may seem trivial, but I assure you that the least falls very heavy upon a young planter. Proper servants and cattle for labour are the chief helps in agriculture, and both exceedingly wanted here. The servants commonly brought hither from London are unfit for labour and prove oftener hurtful than advantageous: the manner in which they are trained up renders them incapable of plantation work and the food usual for servants they are dissatisfied with.

It may be thought very extraordinary that people who have been so long supported by your bounty are incapable of maintaining themselves. But I believe when the difficulty of raising a subsistence in a woody country comes thoroughly to be considered it will plainly appear that the most laborious and frugal man living, if he has a family, cannot avoid being in debt though his maintenance for the two first years should be given him. Even the magistrates and officers, who have had the benefit of three years' provision and more servants than the people in general are masters of, fall yet very short of supporting themselves by their improvements. If this is the case of those who have had such considerable helps, surely the man who has none but his own hands to work with must be much less able to maintain himself by cultivation. What I have hitherto said regards only such as are able to work hard and manage plantation business well. But you are sensible that many come to this place who are capable of neither. If sickness visits a family when your allowance is ended there opens a large expense and consequently the master of that family must be in debt till the produce of his lands shall (besides a subsistence) enable him to pay. I have been the more particular in mentioning these things because an unjust surmise has gained ground to the prejudice of the colony. It was believed that the inhabitants' luxury and idleness were the chief reasons why more lands have not been improved. Some may deserve blame upon this account, yet I am of opinion that the much greater number have cultivated to the best of their power and would have done more but for the hindrances before mentioned. Besides which, many inconveniences attend the people's having their lands in different places. There must be a house built on the town-lot, a hut on the 5 acres, and another on the 45 acres, and some part of the family must be at each place either to improve or prevent what improvements are made from being stolen or destroyed. This division of a family occasions the separating of messes, so that in three different places victuals must be dressed and some conveniences at each. I need not say how much this will increase expenses since it appears too plain. But (as it generally happens) if a man has no servants whom he can trust alone upon his plantation, it is indeed difficult to improve two spots of land at the same time and 5 acres cannot maintain a single person, much less will it support a family. Till we



can raise some product with which to purchase the goods brought to us from Carolina, Philadelphia, New York and New England (all those places send provisions hither), it will be impossible to keep money in the colony and I am afraid a product cannot be raised till the cultivation of lands is by your wisdom and goodness rendered more easy to the inhabitants.

To explain how these inconveniences may be remedied will require a capacity infinitely superior to mine. I hope my letters are not construed as the effects of a discontented mind; if I am accused of faults I beg to know what they are before your final determination is fixed. Amongst the many objections which I have heard made to the execution of your design none has an equal force with this: 'If the laws of Georgia are agreeable to those of England and that lawyers are not to be allowed here (which is a great happiness to the province) why don't the Trustees send a book of statutes with their by-laws annexed that every person may be satisfied of the constitution of the province he lives in?' Such a book would take away many ungrateful reflections thrown on the magistracy and would give the peoples' minds a more sedate idea of the government they are under. For nothing is more frequently said than that 'The laws of England are<sup>1</sup> no laws here and what was law yesterday is none to-day'.

I am glad to see the court take so much pains in examining how the effects of persons deceased have been applied and bringing the administrators to a just account. These proceedings will convince our neighbours that fraud is not countenanced here. The magistrates have lately made use of a method which has very much contributed to the settling of a good harmony amongst the inhabitants: all actions for debts were formerly tried in court, which detained men in town several days to serve upon juries and thereby very near a fifth part of their time was wasted, besides which the frequent granting of executions proved hurtful to the colony. Whereas now the magistrates meet together and decide matters of debt in a more amicable manner: they inquire into the reasons why payment is not made, and if it appears that sickness or any misfortune prevented such payment they bring the parties to agree upon an allowance of time. But if the person indebted is found to use any fraudulent behaviour and will not come into reasonable terms for the satisfaction of his creditors, then that affair is publicly tried at the next court. By this means much time is saved, the spirit of litigiousness discouraged, and the people in general well satisfied.

The town of Savannah is subject to several disadvantages in its trade from the want of a wharf and landing place. We had two or three vessels this summer from Jamaica and St. Christopher's, and I was sorry to hear the complaints which the masters of those vessels made for want of a good crane and wharf to unload upon. I heard men of judgement say that ships are above three times longer unloading here than at other ports.

By a letter received from Mr. Verelst upon my arrival here I understood that Mr. Oglethorpe would settle the register's fee, but his great fatigue of business prevented him from doing it before his departure. Some people have applied to me for copies of their grants (which are already inserted in the deed I sent you) and I wrote them accordingly. Several have brought sola bills to be registered which I have likewise done, notwithstanding that you had given me no orders in this respect. I was unwilling to show an ill precedent, and as nothing was directed to be paid so I have neither demanded nor taken any consideration upon these occasions; and I shall continue acting in the same manner till I have your commands.

I presume the magistrates have acquainted you with Commodore Dent's letter and the visit intended us by the Spaniards. All our people are busy upon building a fort and they work with abundance of spirit which gives reason to believe that if the Spaniards

<sup>1</sup> MS. 'or'.

do not come upon us very suddenly we shall be able to give them a smart reception. It is our misfortune that the town is almost out of provisions and smallarms will be much wanted if we should come to action. Our town will be in the utmost danger should they attack us on the east, west or south side, which may be easily set on fire, for in those parts we have not the least security. But our new fort near your garden and two batteries which are now building almost close to the water's edge will prevent any attempts from the north quarter by boats or otherwise. *Signed.* 3 pp. [C.O. 5, 639, fos. 142-143; duplicate at fos. 153-154.]

**73** List of trustees proposed by Thomas Coram for a new settlement in February 11. Nova Scotia. The undernamed noblemen and gentlemen have consented to be trustees: Duke of Montagu, Viscount Torrington, Lord Delawarr, Horatio Walpole, Sir Charles Wager, Earl of Granard, and two or three others who have not given me leave to mention their names until it be seen that this design will be encouraged. There are several M.P.s and principal merchants who I am morally sure will readily consent to be trustees for the same good purpose, but I refrain asking it of them yet. *Signed.* 1 small p. *Endorsed,* Recd., Read 11 February 1736/7. [C.O. 217, 7, fo. 201.]

**74** Alured Popple to Attorney- and Solicitor-General requesting their February 11. opinion in point of law on the enclosed case. *Entry.* ½ p. *Enclosed,*  
74. i. The case of a grant of an office in Barbados under the private seal of the governor. [See No. 111.] 3 pp. [C.O. 29, 16, pp. 59-62.]

**75** President John Gregory to Council of Trade and Plantations, enclosing February 12. duplicates of some bills and of the journals and minutes of council, Jamaica. and of journals of assembly to this present session. As our annual laws were near expiring and I had some matters of consequence to lay before the assembly I judged it necessary to call them. I enclose my speech to them with their address. The four gentlemen of the council who withdrew their attendance have kept their resolution, by which means we often lay under the difficulty of making a quorum, there being but six remaining besides myself. I believe this act of theirs will hardly be justified, but that I submit to you and the ministry. The country is still quiet in respect to the rebels and I have made the best dispositions I can to continue them so. *Signed.* 1 p. *Endorsed,* Recd. 22 April, Read 26 April 1737. *Enclosed,*

75. i. Speech of President Gregory to council and assembly of Jamaica, proposing renewal of annual laws. Our first care should be to provide for our security by a sufficient number of white inhabitants. The way to do that is by making this a good poor man's country, by giving all proper encouragement, by suppressing all negro tradesmen and boatmen, by setting up some manufactures of cotton, and by cultivating coffee by the labour of white people only. Another thing is the establishing some schools for the education of our youth. *Copy.* 1 large p.

75. ii. Address of assembly in reply to preceding, passed 10 February 1736/7. *Copy. Signatory,* William Needham, speaker. Answer of President Gregory to the address. 1½ large pp. *Endorsed,* as covering letter. [C.O. 137, 22, fos. 114-118d.]

**76** Robert Millar to [? Trustees for Georgia]. I arrived here 6th of this February 12. month. The ipecacuana plants which I left here under the care of two Kingston, gentlemen of repute being still alive and promising well, I will send Jamaica. some of them to Georgia about a month hence, so they will have the whole summer before them. Some I shall keep here to endeavour to bring them to seed:



then we shall be sure of a stock of them and I hope in time will prove a valuable commodity. There not having been any regular rains in this part of the island for these 12 months past, the gentlemen under whose care I left them transplanted them some time ago up to Liguanea mountains where there were more regular seasons. This I imagine is the reason for their not coming to that perfection this last year as I apprehended they would. I have waited on the agents of the South Sea Company in this place who have assured me of their friendship in order to get a passage to Vera Cruz to proceed to Mexico for julep, cochineal, etc., as mentioned in your instructions to me. I hope the Duke of Richmond by this time has obtained some letters from the Count de Montijo about my licence from the court of Spain, which I shall here wait for and I hope I may expect them soon. In the meantime according to your orders shall immediately begin upon making my collections in this island. *Signed.* 1 p. [C.O. 5, 639, *fos.* 86.]

77

February 14.  
Treasury  
Chambers.

Peter Leheup to [? Alured Popple]. Mr. Ashley has entirely quitted his place in the council in Barbados; Mr. Walpole and I have letters from him from Rotterdam to that purpose. I desire you will move the Council of Trade and Plantations to appoint Col. Maycock to succeed to the place, he being recommended by President Dottin whose daughter he married, and a person of good rank. *Signed.* 1 small p. *Endorsed,* Recd. 14 February, Read 16 February 1736/7. [C.O. 28, 24, *fos.* 191, 191*d*, 194, 194*d*.]

78

February 15.

H. W. Guerdes to Society for Promoting Christian Knowledge. Von Reck has signified by letters from Hanover that his voyage home has been more expensive than he expected. The present from the Trustees for defraying the voyage did not suffice and he asks the society for further supply to enable him to complete his journey to Ratisbon. *Copy.* 1 p. [C.O. 5, 639, *fos.* 108-109*d*.]

79

Surrey-street.  
February 15.

Ferdinand John Paris, solicitor for Mr. Rindge, agent for New Hampshire, to Alured Popple, enclosing Order of Council relating to the establishment of a commission upon the boundaries between New Hampshire and Massachusetts, and requesting that the same be expedited. A former proposal that the assemblies of the two provinces should be kept sitting or under short prorogation has been dropped at the instigation of the agent for Massachusetts. By both the present order and the commission, appeal against the determination of the commissioners must be made within a limited time. The former conduct of Massachusetts in this affair; the many endeavours used by them to delay if not to prevent this commission; the governor of New Hampshire being a native of and governor over Massachusetts Bay; his late declaration that the lines in contest would never be run; and the consideration that he alone calls the assembly of New Hampshire: all these considerations cause anxiety lest an assembly of New Hampshire should not be called to determine this affair and that, for want thereof, the commissioners' determination against them should become final. Their lordships are desired to interpose that New Hampshire may not thereby be deprived of the right of appeal. *Signed.* 2 small pp. *Endorsed,* Recd., Read 16 February 1736/7. *Enclosed,*

79. i. Order of Council on a report from Committee for Plantation Affairs dated 4th inst. [See *A.P.C. (Colonial Series)*, 1730-45, pp. 130-132] that the Attorney- and Solicitor-General prepare a draft of a commission for settling the boundaries of Massachusetts and New Hampshire and that the Council of Trade and Plantations give notice to the governors of New York, New Jersey, Nova Scotia and Rhode

Island of H.M.'s intended commission and write letters to the governor of Massachusetts and New Hampshire to recommend the councils and assemblies of those provinces to appoint representatives and to prepare a plain and full statement of their demands. *Signed*, W. Sharpe. *Seal*. 6 pp. *Endorsed*, as covering letter. [C.O. 5, 879, fos. 126-131d.]

80 Letter from John Yeamans. In answer to your question of yesterday, February 15. the *Fleurion* after her condemnation at Montserrat was put up for sale for 1000*l*. but no one there offering that price she was carried to Antigua where, though we have no certain account of it, it is thought she was sold. There are no late letters in town from the last-mentioned island, but the conjecture is that the *Fleurion* is gone to the north of America with a loading of rum, there being no freight to be had for London. Her sugars were taken out immediately after her condemnation, put on board a ship bound to London, and consigned to Mr. Gerrish of Mark Lane; but he sent them to Holland, the Commissioners of Customs having refused to admit them to entry under English duties. *Signed*. 1½ small pp. [C.O. 152, 44, fos. 89-90d.]

81 Memorial of John Rodolph Ochs to Council of Trade and Plantations [February 16.] concerning settlement of Swiss in America. There are plenty of industrious and laborious people in Switzerland who with proper encouragement could become settlers in America. As a result of the mismanagement of Mr. Purry and the misleading book which he published the people he brought over were disappointed and many are said to have died or fallen sick. The governments of Zurich and Berne have accordingly forbidden their subjects to go to America and there are now only some little cantons such as Appenzell where emigration is still allowed. A party of 80 families from this canton went last October to the Savannah river, but they will soon decrease in numbers and the country will be little the better for them. Help for them would be ill-employed, as well as on those settled at the charge of the government at Purrysburg two years ago: 40 out of 109 died within two months of arrival. Another party of 6000 Switzers has been proposed for settlement in Neuse river in North Carolina by the agent of Governor Johnston. The disturbances resulting from so many different parties will certainly cause emigration from Switzerland to be prohibited. If the Swiss are to be encouraged you should examine where they can best be settled so as to preserve their health and prove most serviceable by producing the crops they know how to cultivate, vizt. wheat and other grains, vines, hemp, flax, cotton (in silk and potash they must be instructed) and many other useful commodities. The Savannah river is not suitable for them; it is good only for planting rice which necessitates slaves. It is certain that of all the projected settlements none has such a chance of success, as regards both health and production, as Mr. Jenner's proposal for the mountains in North Carolina or Virginia which deserves to be countenanced above all others. *Signed*. 3 pp. *Endorsed*, Recd. 16 February, Read 11 March 1736/7. [C.O. 5, 295, fos. 73-74d.]

82 Same to same. I have received letters from Mr. Jenner and his associates [February 16.] in Switzerland with replies to your objections to the articles of settlement. There would be no more danger in settling a colony of foreign Protestants in North Carolina than there is from the 30,000 in Pennsylvania. The privilege of serving in all offices, military and civil, in the colony is justified for those who are giving up citizenship in their own country and bringing with them a stock of 6000*l*. sterling to settle and support themselves. Your insistence upon 4*s*. quitrent per 100 acres would provoke the inhabitants of North Carolina against the Swiss for setting a precedent, the



Lords Proprietors having demanded no more than 2s. The land proposed for settlement is already encumbered by heavy transport charges both for land and water carriage. The limitation of 10 square miles is very disadvantageous for we are told that the land bordering the Roanoke river is all taken up and what is left is hilly and rocky so that in an area of 10 miles square perhaps not a quarter is good land, for which a quitrent of 4s. would be hard. Mr. Jenner is aware of a powerful opposition hindering the grant and perceives the same influence in the Council, but acknowledges your general good disposition.

In view of all these difficulties and having received an offer from Virginia to sell them 30,000 acres of land bordering on a river, the Swiss thought it best to buy the land for themselves instead of applying for a grant. They hope thereby to show themselves serviceable to the province they settle in and advantageous to the nation without making a great noise or pretending to perform great matters. They ask you only for recommendation to the government of Virginia, exemption from quitrents and taxes for 10 years (by reason that their land lies so far from navigable rivers), and that all land not taken up in those parts may be reserved for the increase of this colony. They will take up the land originally petitioned for only if they can choose it in parcels where they find it convenient and have it at 2s. quitrent; otherwise they will decline. They would rather pay 4s. for land in the lower parts on the river sides. *Signed, 3 pp. Endorsed, Recd. 16 February, Read 11 March 1736/7. [C.O. 5, 295, fos. 76-77d.]*

83

February 16.  
St. James's.

Royal licence of absence for one year to Gilbert Fleming, lieutenant-governor of St. Christopher's, in order to pass an account at the Exchequer. *Entry. 1 p. [C.O. 324, 37, p. 39.]*

84

February 16.  
Whitehall.

Alured Popple to Francis Fane, enclosing copy of two paragraphs in a letter from Governor Fitzwilliam dated 12 November last relating to the estate of a deceased mulatto and to treasure found at Providence, for his opinion in point of law on the two cases mentioned. *Entry. 1 p. [C.O. 24, 1, fos. 160d, 161.]*

85

February 16.

Attorney- and Solicitor-General to [Alured Popple<sup>1</sup>]. We have perused the case you enclosed to us and find it necessary to trouble you to transmit to us a copy of Lord Howe's commission, which is but shortly stated therein, that we may the better judge when we peruse the whole whether the office of surveyor-general was in his power to dispose of by that commission and whether his private seal at arms be a proper way of putting that power in execution. We therefore desire to see the same and to know whether the governor's private seal is commonly made use of in the grants of any and what offices in the Plantations. It will likewise be necessary to be informed whether the instance in 1690 of a grant of the same nature be the only instance of the grant of that office, or whether it has been usually granted in the same or any and what different manner and under what seal and whether generally or for life or at pleasure. *Signed, D. Ryder, J. Strange. 1 small p. Endorsed, Recd., Read 17 February 1736/7. [C.O. 28, 24, fos. 192-193d.]*

86

February 17.  
Whitehall.

Alured Popple to Attorney- and Solicitor-General, replying to letter of 16 February and enclosing draft of the commission which Lord Howe had for the government of Barbados. Please return. I can make you no other answers to the two questions you ask but such as are grounded upon information only. In answer to the first, I have been informed, and I believe it has been

<sup>1</sup> See No. 86.

the custom, to issue commissions for the judges and justices of the peace under the great seal. But military commissions, some of less authority, and proclamations have been issued under the governor's private seal at arms. In answer to the second question, I know of no commission of this nature but that granted in 1690 and Mr. Edlington's, of which I sent you a copy and which is in the same terms exactly as that granted in 1690. *Entry.* 1 $\frac{3}{4}$  pp. [C.O. 29, 16, pp. 63-64.]

87

February 17.  
Whitehall.

Same to Josiah Burchett, Secretary to the Admiralty, enclosing copy of letter lately received from Governor Fitzwilliam complaining of conduct of Capt. Simonds, commander of H.M. sloop *Shark* stationed at the Bahama Islands. You will please lay them before the Lords Commissioners of the Admiralty. *Entry.*  $\frac{1}{2}$  p. [C.O. 24, 1, fo. 161d.]

88

February 17.  
Whitehall.

Council of Trade and Plantations to the King, recommending John Maycock to be a councillor in Barbados in the room of Mr. Ashley who has left the island without any design to return thereto. *Entry.* *Signatories,* Fitzwalter, Martin Bladen, Orlando Bridgeman, James Brudenell, R. Plumer.  $\frac{1}{2}$  p. [C.O. 29, 16, p. 62.]

89

February 18.  
Whitehall.

Same to Governor Jonathan Belcher. A commission is being prepared (the charges of which the agents of Massachusetts and New Hampshire have agreed are reasonable, equally to be borne by both provinces) appointing the five eldest councillors of New York, New Jersey, Nova Scotia and Rhode Island (except only Major Mascarene of Nova Scotia who appears to be a person interested in Massachusetts) commissioners for settling the boundaries between Massachusetts and New Hampshire, care being taken that private property should not be affected thereby. You are required to recommend to the Massachusetts assembly to appoint two public officers residing in that province on either of whom notices, summons or final judgement of the commissioners can be served, and to send the names of such officers to the commissioners at their first meeting together with a plain and full state of the demands of Massachusetts in writing and describing where the southern and northern parts of New Hampshire ought to begin and what course they ought to run. In case of omission the commissioners are empowered to proceed *ex parte*. We enclose copy of Order-in-Council of 9th inst. and expect you to carry out every particular thereof. We likewise send directions to the same effect to Col. David Dunbar with a copy of the said order that he may in case of your absence carry the same into execution in New Hampshire. *Entry.* *Signatories,* Fitzwalter, M. Bladen, J. Brudenell, R. Plumer, 2 $\frac{1}{2}$  pp. [C.O. 5, 917, fos. 92d-93d.]

90

February 18.  
Whitehall.

Same to Governors of New York, New Jersey, Nova Scotia and Rhode Island, informing them of the commission now being prepared to appoint the five eldest councillors of these four provinces (Major Mascarene excepted) as commissioners for settling the boundaries between Massachusetts and New Hampshire. They are to inform the said commissioners of the time and place of the first meeting. Charges of the commission are to be borne by Massachusetts and New Hampshire. *Draft.* *Signatories,* Fitzwalter, T. Pelham, M. Bladen, Orlando Bridgeman, R. Plumer. 2 pp. [C.O. 5, 896, fos. 87-88d.]

91

February 18.  
Admiralty.

Josiah Burchett to Alured Popple. In answer to your letter of yesterday enclosing a complaint against Capt. Symonds, commander of H.M. sloop *Shark*, from the governor of the Bahama Islands, he is directed



to behave himself in such manner to the governor and civil magistrates as may tend to the countenancing and encouragement of the people who are settled in those islands and to the just authority of the same; otherwise he will be sent for home and called to a strict account. He is to give a particular answer to this complaint. *Signed. 1 p. Endorsed, Recd. 19 February, Read 24 February 1736/7. [C.O. 23, 3, fos. 229-230d.]*

## 92

February 18.  
New Providence.

Governor Richard Fitzwilliam to Duke of Newcastle. Two days since arrived here from Havana a French sloop commanded by one La Rue who brought hither 40 English seamen belonging to several sloops taken from H.M.'s subjects by the inhabitants of Cuba whose governor kept them prisoners and at hard labour for some time past; by the master of one of which sloops I had privately conveyed me a letter from Anthony Weltden, the South Sea factor, wherein were enclosed two letters for Mr. Oglethorpe left open for my perusal, upon receipt whereof I sent for the seamen aforementioned to learn from them what they knew further concerning the armament of the Spaniards at Havana. They not only confirmed what the factor had written but also told me it was talked publicly there that this island was to be invaded as well as Georgia, which induced me to examine the most sensible of them on oath, whose depositions I have enclosed and submit how far they ought to be credited by you. But this intelligence has created such fear in the inhabitants that many of them talk of removing themselves and effects from the island to some place of greater security; and what makes them yet more apprehensive of danger is that Blas Roderigues mentioned in the deposition of Darkins is the man who plundered this island twice in her late majesty's reign. One Lynch among the deponents is a very shrewd sensible fellow, though you will observe his mark is only to the deposition, having lost the use of his hands by the dry bellyache. You will also observe that he avoids naming that officer of the King of Spain who confirmed to him the intentions against Georgia and alleged for reason that, as he had a particular regard for him, he was apprehensive that if his deposition should fall into the hands of any of the Spanish ministers his friend might lose his bread; but in private conversation he told me it was one Hays an Irishman who is master of the 50-gun ship.

I have so often apprized you and the rest of the ministry of the defenceless condition of this place that it is needless to take up any of your time at present upon that head. But I hope you will be convinced that however bad my situation is or my actions or state of this colony may have hitherto been represented by means of a person who envies me your protection, I shall endeavour to acquit myself upon all occasions in a manner becoming a faithful servant and good subject. I thank you for giving me an opportunity of clearing my character by obtaining H.M.'s reference of the complaints exhibited against me to a committee of Council to whom I hope and doubt not it will appear that I am not entirely unworthy of the many favours you have conferred upon me. But as their lordships' directions to answer those complaints are but just come to my hands, the country alarmed, and the assembly just going to meet upon that occasion, I beg you will induce their lordships to excuse my deferring to obey their commands five or six weeks, by which time I hope our present apprehensions of danger from our neighbours of Havana will vanish and I shall have leisure to form my answer. *Signed. 2½ pp. Endorsed, Recd. 7 June. Enclosed,*

92. i. Havana, 6 February 1737. Anthony Weltden to Governor Fitzwilliam. As my station of factor to the South Sea Company gives me opportunity of observing what armaments are carrying on in this port so whenever anything of that kind is in agitation I shall endeavour to apprise you and hope to succeed in the method I have taken of conveying this letter to you, which encloses others left open for your perusal

containing all the notices I can at present furnish you with. If our governor has no real design against any part of H.M.'s dominions he certainly has one against his trading subjects and will not fail to condemn all sorts of prizes brought in here by his privateers.

I now send away all the English prisoners in this town whom I have maintained in my house for some months. As the company makes me no allowance for supporting these distressed people (who centre here from all parts of the Spanish West Indies), it being properly the governor's concern, I leave it to your judgment if it is not a cause worthy of H.M.'s governors in these parts to represent to the ministry that some future provision should be made for the maintenance of so many of the King's subjects and to defray the charge of sending them to an English colony which can only be done by the company's factors, and if they refuse them assistance they will all be forced to enter into the Spanish service for bread. *Signed. 2 small pp.*

92. ii. Same date and place. Same to James Oglethorpe. I hope you will give some attention to the particulars of the enclosed letter from my brother, as other circumstances concur to strengthen the suspicion of a design forming against your colony of Georgia. The true history of the person here called Mr. Wall cannot be unknown to our governor, yet he treats him with respect but watches him closely and has strictly forbid his conversing with any English. Besides which, particular pains have been taken to engage a sailor now in my house reputed to be a good pilot on your coasts to carry a vessel to one of the Bahama islands on pretence of bringing back a load of salt, a commodity of so little value here at present that it won't pay its freight. But a stronger motive for suspicion is the present arming in this port of a 24-gun ship with a sloop or two which may be ready to sail by the end of this month, when is expected to arrive the Barlo Vento squadron from Vera Cruz consisting generally of a 60- or 50-gun ship with one smaller to which may be added one of 60 and one of 50 now in this harbour ready to put to sea; and in case of a descent this garrison may well spare 600 men joined to about the same number in St. Augustine. *Copy. 1 p.*

92. iii. Havana, 17 January (N.S.) 1737. Henry Weltden to James Oglethorpe. As I am not quite a stranger to you, having received favours at your hands in Georgia, I shall depend on your kind reception of what I relate. A person who is lately come from Spain hither under the character of an engineer, being treated with great respect by the governor and everybody of distinction here, gives me no small surprise, having known the man in Carolina a bailly named John Savy but at present styles himself Col. Wall. Hearing of my being here, he desired to speak to me in private, the purport of which was to enjoin my not giving out that I knew him, as it would certainly occasion my being put into the Moor Castle. Willing to know the cause of that danger, by the help of the bottle I got the noble colonel to disclose his scheme (or pretended one) which was to this effect: that he went from Paris to the Court of Madrid where he gave in his proposals to the minister Patino setting forth the weak state of Georgia which country he affirmed belonged to his Catholic Majesty and that a small number of troops might drive out or destroy the present incumbents, offering himself to be their guide as knowing that country, which scheme he says was accepted and is to be executed in three or four months. The whole seems to be a piece of extravagance but as it is generally thought he brings a secret commission from the prime minister I think it proper to send you this notice. *Copy. 1½ pp.*

92. iv. Affidavit of Thomas Lynch, late of Ca[? diz<sup>1</sup>] in Spain, gentleman, sworn

<sup>1</sup> Document torn.



17 February 1736/7 at Nassau in New Providence before Governor Fitzwilliam. In Havana in December last a person styled Col. Wall (whose true name deponent was informed is John Savy) arrived from Spain; thereupon a ship of 50 guns and another of 60 then loading for Spain were stayed and unrigged. Soon after a ship of 24 guns and a large sloop were ordered to be fitted to sea to carry (as deponent was informed) troops to St. Augustine, Col. Wall to be their guide into Georgia, where and at South Carolina he was formerly a trader with the Indians. Wall gave deponent hints of this design, which was confirmed by a Spanish officer. The three ships and sloop may be ready to sail about the beginning of next month. Capt. Blas Roderigues, in conversation with deponent, Donovan (mate of a Spanish vessel) and Jacob Phenix (master of a sloop lately taken by the Spaniards), expressed a desire to find a pilot to carry him to Providence. Roderigues conferred with John Darkins on this matter. *Signed*, Thomas Lynch his mark, Richard Fitzwilliam. 1 p.

92. v. Affidavit of John Darkins of Rhode Island, mariner, sworn as preceding. Deponent was mate of sloop *Wheel of Fortune* of Rhode Island commanded by Roger Maddox, taken by a Spanish *guardacosta* about four leagues from Havana on 12 September last. He was confined in the said sloop at Havana for three months and afterwards supported at the English factory. Col. Wall (whom deponent knew in Charleston as John Savy, an Indian trader and afterwards a deputy marshal) said that he had four or five blank commissions from the King of Spain to bestow on British subjects. On Wall's arrival at Havana, two ships loading for Spain were stayed. Blas Roderigues tried to persuade deponent to land him either at Exuma or at a savannah on Providence, but he refused. Deponent was informed that Wall is to guide the Spanish troops to be embarked at beginning of March with a design to land on some of the Bahama Islands or in Georgia. Deponent believes that Benjamin Higgs was detained or seduced to stay at Havana to accept the pilotage which he refused. *Signed*, John Darkins, Richard Fitzwilliam. 1½ pp.

92. vi. Affidavit of Jacob Phenix of New York, late master of sloop *Free Mason* of Jamaica, sworn as preceding. The said sloop sailing from Jamaica bound for Cowes and thence to Amsterdam with a cargo of 45 tons of *lignum vitæ*, 1600 hides and about a thousandweight of tobacco, was taken on 29 August last about 20 leagues from the Colorados by a Spanish *guardacosta*, Juan Fondeno commander. They were taken to Havana where the ship and cargo were condemned before deponent or any members of his crew had been examined or any formal prosecution begun. Deponent was imprisoned on board a ship, in the Moor Castle, and in irons in the common prison. He was informed that two ships were preparing to take troops (sailing about the beginning of March) to land in the Bahamas or in Georgia. On the arrival from Spain of John Savy, now called Col. Wall, two royal ships loading for Spain were unrigged. Wall told deponent he had commissions for four or five British subjects who would serve the King of Spain and that he was very well acquainted with South Carolina and Georgia. *Signed*, Jacob Phenix, Richard Fitzwilliam. 1½ pp.

92. vii. Affidavit of James Wilson of Rhode Island, mariner, sworn as preceding. Deponent was sailor in *Wheel of Fortune* taken near Havana on 12 September by the *Triumph*, a Spanish *guardacosta*, and was carried to Havana where he was confined for two months and forced to work. After release he was at the English factory where he was told by sundry persons and also by the Irish soldiers of that garrison that a 24-gun ship and a 16-gun sloop were to make a descent both upon the Bahama Islands and upon Georgia, putting to sea probably in March. *Signed*, James Wilson his mark, Richard Fitzwilliam. 1 p.

92. viii. Affidavit of John Salter, sworn as preceding. Deponent was a sailor on the sloop *Free Mason* taken by a Spanish *guardacosta* [as in vi. above]. He with others belonging to the sloop was confined at Havana above four months until they made their escape at different times to the English factory. Deponent was informed that two ships were preparing to take troops (sailing about the beginning of March) to land upon the Bahama Islands and Georgia. *Signed*, John Salter, Richard Fitzwilliam. 1 p. [C.O. 23, 14, fos. 282-299d.]

## 93

February 19.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, enclosing copy of memorial of M. Hop, Envoy Extraordinary from the States General, and directing that enquiry be made into the complaints therein contained. *Signed*. 1½ pp. *Endorsed*, Recd. 21 February, Read 23 February 1736/7. *Enclosed*,

93. i. M. Hop's memorial, London, 11/22 February 1736/7, complaining of damages and acts of hostility committed by English ships commissioned by Governor Mathew against the Dutch at St. Eustatius. Dutch ships have been seized, taken to Montserrat, and condemned. The directors of the West India Company are also concerned at the seizure of the *Dauphin* which was condemned on conflicting evidence: William Hawkins deposed that the ship was taken 1½ leagues from the coast of St. Christopher's, William Wilkinson that it was 2½ leagues. Restitution, damages, and the prevention of such acts in the future are sought. *French. Copy. Endorsed*, as covering letter. 3½ pp.

93. ii. St. Eustatius, 8 October 1736. Council of St. Eustatius to Directors of West India Company of the Chamber of Amsterdam, seeking relief from molestations of the English commissioned by Governor Mathew. The English have now six commissioned vessels at sea. Papers are enclosed as evidence of what the English have done. *Copy*. 5½ pp.

93. iii. Council of St. Eustatius to Governor Mathew, 20 September 1736, asking the reasons for the seizure of the *Two Sisters* and other vessels, and whether these seizures were authorized by the governor. *Copy*, attested. 3 pp.

93. iv. Governor Mathew's reply to preceding, Antigua, 14 September 1736. To prevent illegal trade and that no chicane may happen by false passports I will have every vessel examined throughout my government. *Copy*, attested. 2 pp.

93. v. Act of 1701 to prevent trade with French and other foreigners by the inhabitants of the Leeward Islands. *Copy*, attested. 5½ pp.

93. vi. Petition of Jan Sager of St. Eustatius to the Commander Provisional of the island, 4 October 1736, complaining of losses through the condemnation at Montserrat of goods out of a French ship the *Catherine*, and through the condemnation of the *Two Sisters* also at Montserrat. *Copy*, attested. 2½ pp.

93. vii. 2 February 1737. Remonstrations of Directors of West India Company to the States General that representations should be made to Great Britain concerning the English attacks on Dutch shipping and that restitution and damages should be obtained. *Copy*. 4½ pp.

93. viii. J. H. Pieters and Jaspar Ellis to John Markoe, Commander Provisional, and the Council of St. Eustatius, reporting an interview with Governor Mathew at Antigua on 25 September [1736]. The governor declared that he would ruin all English and French trade to St. Eustatius because the governors grant too large privileges to those that trade to Rhode Island. At Montserrat we saw a ship belonging to St. Eustatius seized and detained because the English insist that, the crew being mostly French, the ship must be French also. *Copy*. 4½ pp.



93. ix. Attestation by the Commander Provisional and the Council of St. Eustatius that Robert Stuart, merchant of the same place, declared on oath that he heard Governor Mathew say that he would confiscate all French ships taken by his privateers if they had English merchandize aboard. 6 October 1736. *Copy*, attested. 2 pp.

93. x. Same by the same that Jan Sayer declared that when he went to Montserrat to reclaim his ship the *St. Anthony* he heard the president of Montserrat and members of the council and others say that they would confiscate all French vessels that had any goods aboard that had been sold there by the English even though they had been bought by the Dutch and resold to the French. 6 October 1736. *Copy*, attested. 2 pp.

93. xi. Same by the same that Daniel Mombruyn, passenger in the *Drie Vrienden* (or *Three Friends*) Daniel McDaniel commander, of St. Eustatius, declared that the said ship was seized on 17 September being about  $1\frac{1}{2}$  miles from the coast of St. Eustatius and full 5 miles from any English shore: the ship was carried to Montserrat and there condemned. 6 October 1736. *Copy*, attested. 2 pp.

93. xii. Abstract of proceedings in the High Court of Admiralty of Montserrat before George Wyke, 15 September 1736. Libel against the *Dolphin*, Daniel McDaniel master: William Welch commander of *Mulberry* commissioned by the governor of the Leeward Islands propounds that the *Dolphin* is a French ship navigated wholly by French mariners and that she infringed the Act of Montserrat of 1736 by being within a league of the shore of St. Christopher's, having on board divers goods, vizt. 45 hogsheads sugar, 6 hogsheads claret, 4 hogsheads white wine, 24 anchors brandy and 2 bags coffee. William Welch therefore claims the condemnation of the said ship. Daniel McDaniel, a Frenchman born, claims the ship on the ground that she transgressed no law. William Hawkins deposes that he was on the *Mulberry* when the *Dolphin* was taken and that that ship was then within  $1\frac{1}{2}$  miles of the shore of St. Christopher's. He further says that all the crew were French but one, and that there were French colours but no Dutch colours aboard. William Wilkinson deposes that he was on the *Mulberry* when the *Dolphin* was taken: that ship was then within  $2\frac{1}{2}$  miles of the coast of St. Christopher's. Thomas Fullavance of *Dolphin* deposes that the goods in the said ship were taken aboard at a French island called Grande Terre where the *Dolphin* was looked upon as a Dutch ship. William Wyke of Montserrat deposes that McDaniel told him that he owned one-third part of the *Dolphin*, the other owners being a gentleman of St. Eustatius and one M. Sagarán. A minute was made by the court to the effect that the proper name of the ship was the *Three Friends* not the *Dolphin*. Roger Wyke of Montserrat deposes that an attempt was made by Jasper Ellis of St. Eustatius to interfere with the course of justice in this case by bribery. The court condemned the ship, one-third to the King for the use of the government of Montserrat and two-thirds to the owners of the *Mulberry*. *Copy*, attested. 14 pp. [C.O. 152, 22, fos. 265-268d, 270-297d.]

94      The case of Thomas Cresap of Baltimore county in Maryland. On [February 19.] 24 November Samuel Smith, sheriff of Lancaster county, with about 24 or 26 armed persons surrounded Cresap's house and called on him to surrender. Despite his reading Hawkins's *Pleas of the Crown* to them, they fired on the house several times and set it on fire. On leaving the house Cresap was wounded and made prisoner; Loughlin Malone, a servant, was also shot and died of wounds he said were inflicted by David Priest. Cresap was then put in irons in Philadelphia gaol. The following were witnesses of the above facts: Miles Foy, Michael Risner, Jacob Mathias Minshar. *Copy*.

2 pp. *Endorsed*, Recd. 19 February 1736/7 from Mr. Sharpe, Read 8 June 1737. *Accompanying papers*,

94. i. Samuel Ogle to President and Council of Pennsylvania, 1 December 1736. I have nominated Edmund Jennings, secretary, and David Dulany, attorney-general of this province, to represent to your board the barbarous attack by your inhabitants on Capt. Cresap. *Copy*.  $\frac{3}{4}$  p.

94. ii. Philadelphia, 7 December 1736. Edmund Jennings and David Dulany to same, setting forth the circumstances of the attack on Capt. Cresap. The sheriff and the other incendiaries and murderers should be handed over for trial in the province where the fact was committed. *Copy*.  $1\frac{1}{2}$  pp.

94. iii. Philadelphia, 10 December 1736. President James Logan to Edmund Jennings and David Dulany. The place of Capt. Cresap's settlement is not admitted to be in Maryland; a case in Chancery between our proprietors and yours is now depending and we cannot acknowledge your right there. The case was violent, but the provocation was great, vizt. a plan of which we have proof to throw out of their dwellings 60 German families who had been induced to believe that they had settled in Maryland instead of Pennsylvania. Cresap had brought up arms and ammunition and had enlisted men to assist him against the Pennsylvanians. The sheriff of Lancaster had a warrant for Cresap's arrest on a charge of murder and was nearly 20 miles within his county. There is strong evidence that the person killed fell by a shot from Cresap's party. The house belonged to a Pennsylvanian. It appears evident that Cresap and his accomplices are accountable. *Copy*. 3 pp. *Endorsed*, as covering document.

94. iv. List of 33 persons concerned in the burning of Thomas Cresap's house and the murder of Loughlin Malone. 1 p.

94. v. Philadelphia, 11 December 1736. Edmund Jennings and David Dulany to President and Council of Pennsylvania. We do not accept your arguments. It is neither just nor prudent in the sheriff and justices of Lancaster county to anticipate with armed force the decree of the Court of Chancery. The incendiarists and murderers have not been apprehended by your government. As to the persons you mention were to be turned out for disowning the jurisdiction of Lord Baltimore, they must be ignorant foreigners or they would not have been so far deluded as to imagine they can divest Lord Baltimore of his rents or services and transfer their obedience to another province or that any engagement of fidelity to the proprietors of Pennsylvania would justify them. When persons are instigated to refuse their proportion of taxes, are they not to be reclaimed by the officers of justice? No house was burnt and no subject killed by the force sent by Maryland.

The murder alleged against Cresap occurred many years ago when a number of inhabitants of Pennsylvania attacked his house and broke in; he killed one in self-defence. Even if Malone was accidentally shot by Cresap's party the responsibility is on the attackers: the alleged fact that the house did not belong to Cresap does not alter the case unless it be thought less criminal to burn a house possessed by a tenant because the landlord does not live in it. We call upon you to apprehend the offenders so that they may be tried where H.M. shall decide; and to release on bail Cresap, Foy, Risner and Minshar. *Copy*.  $3\frac{1}{2}$  large pp. *Endorsed*, as covering document.

94. vi. 14 December 1736, Philadelphia. President James Logan to Edmund Jennings and David Dulany. The place where Cresap settled was many years since surveyed in the right of our proprietors; persons were settled there and paid taxes to this government. An officer executing a legal warrant against a criminal was never yet accounted an aggressor. The Germans who settle here are obliged, on account



of our too near neighbours the French, not only to swear allegiance to H.M. but also to promise fidelity to the proprietors and this government, a practice used only with them and no others. We cannot agree to release Cresap on bail. If your governor will agree upon some certain boundaries to limit the jurisdiction of the province without prejudice to either proprietor till the whole dispute is ended, we shall cheerfully come into any methods consistent with law and common justice. *Copy. 2½ pp. Endorsed, as covering document.*

94. vii. Philadelphia, 15 December 1736. Edmund Jennings and David Dulany to President and Council of Pennsylvania. We are disappointed that you will agree to neither of our proposals of 12th inst. Perhaps H.M. may think his justice eluded by giving the offenders an opportunity of escaping. You mention that the Germans only enter into an engagement of fidelity to your proprietors; why are they so distinguished from other nations? PS. We are greatly surprised that you will not release on bail the men taken with Cresap; we were told by the president yesterday that they would be released. *Copy. 1¾ pp.*

94. viii. Proceedings of Supreme Court at Philadelphia, 24 September 1736, before James Logan, Jeremiah Langhorn and Thomas Graeme, justices of the said court. *Rex v. William Rumsey.* Rumsey's remonstrance denying the jurisdiction of the court was rejected, the place where the offence was committed being within the bounds of Pennsylvania. A day was given for him to answer the charge against him. *Copy, certified by Josiah Lawrence, protonotary. 1 p.*

94. ix. Petition of William Rumsey of Cecil county, Maryland, to Supreme Court of Pennsylvania. The petitioner refused to answer the indictment against him and denied the jurisdiction of the court.

Petition of William Cannon of Baltimore county, Maryland, to Supreme Court of Pennsylvania. The petitioner refused to recognise the jurisdiction of the court over him and prayed to be discharged or else that judgment be rendered against him.

The court did not think it prudent to proceed to judgment against the petitioners lest the same should be construed a contempt of the authority to whom the government had applied for relief. The petitioners therefore stand committed until they give security in the sum of 100*l.* each to appear at the next supreme court on 24 September. *Copy, certified as preceding. 3¼ pp.*

94. x. Petition of William Rumsey to Patrick Gordon, governor of Pennsylvania, complaining of the refusal of the supreme court either to discharge him or to render judgment against him; with affidavits testifying to the delivery of the said petition. *Copy. 1 large p.*

94. xi. Address of upper and lower houses of assembly of Maryland to Lord Baltimore, complaining of aggressions by Pennsylvania on the borders of Maryland and especially of two recent instances, the cases of William Rumsey and William Cannon. *Copy. Signatories, John Hall, president, James Harris, speaker. 1½ large pp. Endorsed, as covering document. [C.O. 5, 1268, fos. 292-313d.]*

## 95

February 19.  
Deptford.

Benjamin Berry to Trustees for Georgia, offering his services on the enclosed terms to convert or shape and adapt the timber in Georgia to its proper uses. He was nine years in South Carolina building ships and knows the timber there to be particularly suited to that purpose. *Signed. 1 p. Enclosed,*

95. i. Terms of above offer: 200*l.* sterling a year salary, with 50*l.* advance; 10*l.* for passage out and passage home; 6*s.* a day travelling allowance in the colony; option to quit employment after first year. *Signed. 1 p. [C.O. 5, 639, fos. 28-32d.]*

**96** Lieut.-Governor Thomas Broughton to Duke of Newcastle, enclosing  
February 20. duplicate of letter of 6 February with copies of advices received from  
Charleston. Commodore Dent. Nothing has since happened worthy communicat-  
ing to you. *Signed.* 2 small *pp.* *Endorsed,* Recd. 4 May. [C.O. 5, 388, *fo.* 145, 145*d.*]

**97** Same to Council of Trade and Plantations. [*In substance same as No.*  
February 20. 96.] *Signed.* 1½ small *pp.* *Endorsed,* Recd. 5 May, Read 3 June 1737. [C.O.  
Charleston. 5, 365, *fos.* 215, 215*d.*, 220, 220*d.*]

**98** Same to Trustees for Georgia, enclosing duplicate of letter of 7  
February 20. February. As nothing material has happened since, at least worthy  
Charleston. communicating to you, I have nothing to add except in relation to a  
letter I directed (on the first advice) to Mr. Causton, chief bailiff of Georgia. I acquainted  
him among other things that it was my opinion it would be advisable for him to send  
some persons hither to inform me of their strength and condition and to agree on such  
measures as might be best concerted for their safety, and also to endeavour to secure the  
Creek Indians in the interest of H.M.'s government and to prevent their falling into that  
of the Spaniards and French, and that the Georgia agent should be instructed not to  
give any umbrage but on the contrary to act in concert with the agent sent from this  
province in all matters relating to the peace and welfare of both. Mr. Causton in his  
answer gives me but a very superficial account of their strength and condition and takes  
not the least notice of the two last mentioned particulars which are by myself and H.M.'s  
council thought to be of the most immediate consequence to H.M.'s service on the  
present conjuncture. I hope you will recommend it to him to show more regard to  
advices so salutary and necessary for the preservation of Georgia and the defence of  
H.M.'s American dominions. *Signed.* 3 small *pp.* *Endorsed,* Recd. 4 May 1737. [C.O. 5,  
639, *fos.* 181-182.]

**99** Petition of John Yeamans, agent for Antigua, and of the planters and  
[Before merchants whose names are subscribed, to the King. The negroes of  
February 21.<sup>1</sup>] Antigua have for some time past been contriving and had nearly  
executed a most cruel and execrable plot. By the providence of God and the vigilance  
of the civil magistrate the said plot has been discovered: the governor and principal  
families were to have been blown up with gunpowder on 30 October last, and from  
this a signal taken for all the negroes to rise and cut off every white person, to which  
they bound themselves by horrid oaths. The chief conspirators were natives of this  
island employed in houses or bred to trades. There are at least 24,000 negroes in the  
island and not above 3000 whites. The inhabitants continue under the most terrible  
apprehensions of further attempts. The regular soldiers consist of five companies of 31  
men each, much too small a force for security. The militia has been continuously under  
arms since the discovery of the plot to the great detriment of business. A like con-  
spiracy was discovered in the island about eight years ago, but petitioners find that the  
punishments then inflicted were not sufficient to deter a second attempt. They therefore  
pray for augmentation of the forces in the Leeward Islands. *Copy.* 2½ *pp.* [C.O. 152, 40,  
*fos.* 288*b* and 288*c.*]

**100** Order of King in Council approving an Act passed in Virginia in  
February 21. October 1734 to vest certain entailed lands in Charles Tomkies in fee  
St. James's. simple. *Copy,* certified by W. Sharpe. 1½ *pp.* *Endorsed,* Recd. 16 May,  
Read 24 May 1737. [C.O. 5, 1324, *fos.* 38-39*d.*]

<sup>1</sup>A.P.C., (*Colonial Series*) 1720-1745, p.553.



**101** Same, approving an Act passed in St. Christopher's in 1733 for settling the limits of the parishes of St. Christopher's. *Copy*, certified by W. Sharpe. 2 *pp.* *Enclosed*, Recd. 16 May, Read 24 May 1737. [C.O. 152, 22, *fos.* 342, 342*d*, 345, 345*d*.]

**102** Lieut.-Governor William Gooch to Council of Trade and Plantations, February 21. acknowledging letters of 15 and 20 October last. In my letter to you by way of Bristol of 8 January, I gave you an account of what had passed here concerning Mr. Ball; but since I find you so earnest in your enquiry I shall now be more particular. When Mr. Ball had finished his experiment here of preparing a small quantity of our tobacco after the manner he had seen practised in Brazil, it was proposed and he agreed to go to London there to consult the merchants who were thought the best judges whether it was like to answer the expense and trouble requisite to such a manufacture; and if he met with encouragement, he had my positive orders to wait on you and deliver a specimen of that he had made up, a roll whereof he carried with him for that very purpose, telling him withal that unless he did wait on you and bring some testimony with him his going to England and returning hither would be in vain.

When his tobacco came to be examined by the merchants in London it was found, though it had the outward appearance, to want the scent and other qualities of that of Brazil; and I imagine, not meeting with the encouragement he expected from the merchants and being conscious of having fallaciously made use of your name to draw us into his scheme, the fear of exposing himself to shame was the reason why he did not wait on you according to his promise, the condition of which it must be owned was in case he was approved. Since his return to Boston I have received a new proposal from him, offering to go again to Brazil to inform himself more fully in the method of preparing that kind of tobacco; but as I now look on his project as the contrivance of a necessitous man to get money I have no confidence in anything he can offer, and finding all men here have the same opinion of him and are unwilling to be concerned with him I have in civil terms rejected his offer.

As to the project of making wine in this colony, it has as yet made so little progress that no certain judgment can be formed of its success. Colonel Armistead, who promises fairest to bring it to perfection, has had only one season to make the experiment and that so unfavourable as would have discouraged one of a less generous and enterprising genius. For though the vines grew and flourished with as many grapes as could be wished for, yet the violent heat in the time of the dog-days accompanied with sudden and heavy showers of rain burst the grapes and rotted them upon the vines, and disappointed him in the prospect he had of a very fine vintage. As this has proved a discouragement to some former attempts of this sort, I am afraid it will be an insuperable difficulty to obviate without the assistance of *vignerons* skilled in the culture of vines in climates subject to such inconveniences. But he is a gentleman of great perseverance and knows that wine was not brought to perfection in the Cape of Good Hope under 20 years' trial. Another year's experience will make us better judges of what may be expected from this undertaking, of which I shall not fail to give you the most exact relation.

I shall be careful in observing your directions concerning the lands to the west of the great mountains when Lord Fairfax's bounds are settled, but when that will be is uncertain. The surveyors are all of them returned, but they who were sent upon the Potomac river have undergone such hardships and came back so very much fatigued that some time must be allowed them to recruit themselves and reduce their field plats to a proper scale before they can make their report in due form to the commissioners;

and when they do, by what you will see in my letter of 8th ult. and what I have heard since, I fear it will be too crabb'd a matter for the commissioners to adjust. However, what can be done shall be done and you shall have it in full by the return of the ships. *Signed. 2 pp. Endorsed, Recd. 23 May, Read 3 June 1737. [C.O. 5, 1324, fos. 49-50d.]*

**103**

February 22.  
Frederica.

Robert Paterson to Harman Verelst, enclosing eight letters for various persons including one for Mr. Oglethorpe. *Signed. ½ p. [C.O. 5, 639, fo. 147, 147d.]*

**104**

February 22.  
Frederica.

Same to James Oglethorpe, asking to be allowed a servant in order to be more useful to the Trustees. As for news, Mr. Delegal is a reliable officer. The people of Darien are getting on well with their building. Mr. J. Wesley was there and was very taken with the place. *French. Signed. PS. Susanna Moore died 10 December; the wife of T. Loup died 13 February. 2 pp. [C.O. 5, 639, fos. 139-140d.]*

**105**

February 22.  
London.

F. M. Ziegenhagen to [James Vernon<sup>1</sup>]. Being informed that the ship for Georgia is to sail in a few days and having received last night a letter from Ebenezer of 4 December last relating to the present circumstances of the Salzburghers there, I desire your compassionate regard in their behalf. (1) I take it for granted the Trustees are fully apprised that the Salzburghers have as yet no more land assigned besides the lots for gardens and are, without any fault of their own, by no means in a condition to provide their necessary subsistence: wherefore they hope the Trustees will compassionate their destitute case and continue their former bountiful allowance and consequently dispense with the last order whereby they are to pay from the latter end of March next to September following for what they have out of the storehouse and no more than 2 lbs. of meat per week and half a bushel of corn per month for each is to be advanced to them upon credit; which order, if it should take effect as I humbly hope it will not, would unavoidably prove the ruin of most if not all of them. (2) They are also ordered to pay for the new boat which they greatly wanted for bringing up the provision from Savannah and for which the builder who lives at Purrysburgh asks 18*l.*, a sum that is not in their power to raise. (3) Some of the Salzburghers have had the misfortune that their garden lots are run out upon pine barren land, which can be of no use to them as long as they have not sufficient dung or cattle to help and mend it a little. But as there is a small tract of good land just near such gardens they confide in the goodness of the Trustees to have leave to exchange such lots. (4) The people of the third transport which undoubtedly were engaged by Rev. Mr. Urlsperger to go over to Ebenezer in Georgia on the same terms and conditions as the first and second have hitherto got neither the necessary tools nor utensils for the kitchen, not to mention the great difficulties they have laboured under a long time as to their provision. Only ten families of them have had each a cow given them, but none of them has received either swine or poultry: to what great hardship these poor people must thereby be reduced anyone may easily imagine. I cannot help mentioning what a deep concern the quite unexpected distress of these people gives Mr. Urlsperger, so contrary to what he in the name of the Trustees solemnly had promised them. (5) Mr. Bolzious and Gronau having hitherto lived in the new settlement in huts and finding how much their health and function thereby suffer entreat the Trustees to give speedy orders for the building of their houses, it being impossible for them to bear the expenses thereof out of their small salaries. Mr. Gronau's house at Old Ebenezer was by order of Mr. Causton built by four carpenters of the Salzburghers who were expressly promised to be paid for

<sup>1</sup> *Egmont Diary*, II, p.357.



their labours but, as necessitous as they really are, they have received as yet nothing for it. (6) I doubt not but you remember that the S.P.C.K. paid the Trustees in June last half a year's salary for Mr. Bolzius, Gronau, and Orthman the schoolmaster; but by their letter of 4 December last it appears that they had then not received any and been obliged by borrowing money to run into debt. I trust you will excuse this trouble. When I waited yesterday on Mr. Oglethorpe I purposed to lay these things before him; but finding him too much occupied, I could mention but very little of it. As you have been always very kind and generous and a known advocate for all persecuted and distressed Protestants and more especially for the poor Salzburghers, I entirely rely on your wonted goodness to have compassion for the several wants and necessities of those at Ebenezer and favourably to plead their cause with the Trustees. *Signed. 3 pp.* [C.O. 5, 639, *fos.* 34-35*d.*]

**106** Minutes of meeting of Trustees for Georgia. Received, receipt from  
February 23. the bank for 100*l.* paid in by Earl of Egmont at the last board, the  
Palace Court. benefaction of Bishop of Worcester. Received, same for 118*l.* 18*s.*  
paid in by Dr. Hales at the last board. Received, same for 12*l.* paid in by John Venables  
for subsistence of his son now going to Georgia for one year or till that value is delivered  
him in Georgia. 1 *p.* [C.O. 5, 686, *p.* 354.]

**107** David Ferrier and William Campbell to James Oglethorpe, seeking  
February 24. information about grants of land in Georgia and offering to get  
Montrose. together a quantity of settlers, either tradesmen or labourers, in this  
place. If you incline to have any servants on your own account advise us. Direct reply  
to William Campbell, merchant, Montrose. *Signed. 2 pp.* [C.O. 5, 639, *fos.* 119-120.]

**108** Thomas Causton to Trustees for Georgia. The alarm of the Spaniards'  
February 24. preparations still continues and the advices from Carolina are daily  
Savannah. filled with accounts of their preparations for a defence. The particulars  
will be seen by the *Carolina Gazette* and the lieut.-governor's letter to me. As he is  
pleased to charge me with some defects in my answer I thought it necessary to enclose  
his second letter and my answer, which I sent yesterday by express. Capt. Gascoigne  
advises me that Capt. Windham offered to send him for assistance two men-of-war of  
150 men each and two sloops of 100 men each when he should require it. By further  
advices just now arrived he tells me that he has wrote to Capt. Windham advising that  
if he would send a 20-gun ship to appear off the port of St. Augustine, such an appearance  
and the stopping Davis's sloop would probably convince the Spaniards that their designs  
were discovered and at least retard the execution of them. As he is clearly of the opinion  
that the Spaniards' intentions (as advised) are well grounded, he has desired that I would  
spare no cost to supply everything necessary for a defence.

I have in a former letter mentioned that provisions have been very difficult to get, which I think may be naturally attributed to the present various reflections the colony labours under, and it is a great difficulty in these circumstances to keep up the spirit of the people especially those of the southern settlements. Two days since, I sent to the southward 40 barrels of pork, 300 lbs. of musket powder for De Legaul company, 200 lbs. of musket and 200 lbs. cannon powder for Frederica, sundry nails for the Darien houses and other necessities which they wanted.

I received your blank sola bills for 1500*l.* sterling together with some barilla seeds and two parcels of medicines and shall take care to give your directions for the planting the seed. I am very sorry to find myself charged with keeping Capt. Yoakley's ship

because he sounded the inlets to the Altamaha. Had I done it in the manner charged, I should readily acknowledge myself to blame. But the case was thus: he arrived here from Philadelphia and both he and Mr. Montaigut declared he had instructions to take Mr. Oglethorpe's orders at his arrival and therefore understood that he must wait till he came. When I received the directions to employ somebody to sound that inlet I employed James Searle who was acquainted therewith; and Yoakley having a proper boat for that purpose and offering his service to go with him which he told me should be no expense, I judged it would be no harm to have Capt. Yoakley's opinion in such a case, who was the commander of a ship and used this trade. A few days before Mr. Oglethorpe's arrival, Yoakley being impatient by waiting so long, he and Mr. Montaigut again perused his orders and then and not before showed them to me. I immediately saw that he had orders on his return from Philadelphia to take Mr. Oglethorpe's directions if in Georgia. But as he was not here I gave my opinion that his stay could not be put to the Trustees' account. Therefore whatever charge he has thought fit to make on you cannot be imputed to any act of mine. When Mr. Purry offered a charge of this nature to Mr. Oglethorpe at Tybee I opposed it, then acquainting Mr. Oglethorpe with the affair and he accordingly refused to sign the account.

Your repeated commands concerning the queries to accounts will (I doubt not) be answered to your satisfaction, I mean as soon as the nature of the thing required will admit of. But sure it can be no difficulty for you to believe that the nursing so many people by small matters as their daily necessities required must consequently make long accounts, and as the several accountants could not be elsewhere supplied with those necessities what money they demanded was cautiously paid them on account. So that it is impossible to answer the queries otherwise than by a strict re-examination and a more regular posting than the persons then employed were capable of doing. But though my actions need no gloss I find I am liable to misrepresentations. Your order to the magistrates on the petition of Rowland Pitt and John Tuckwell shall be duly executed when occasion offers. I believe the people whom I shall buy provisions of will take the sola bills as they are and depend upon Mr. Oglethorpe's signing them in England, in which case I shall certify the goods bought and give advice to Mr. Oglethorpe. But if they should not choose to do so Mr. Montaigut and Mr. Jenys are both willing to let me have Carolina currency for them at 650 per cent. advance.

An Indian, one of the chiefs of the Upper Creeks who were lately here, commonly called the Dog King of the 'Euphaulees', having stayed behind the rest offered his service to go to St. Augustine and get information if the Spaniards were preparing for war. He said he could do this without any suspicion because he had been lately invited there. I told him he might do what he would and accordingly gave him a letter to Mr. Horton advising him of his intentions and Santutche and Tallahumini went with him. When he arrived at Frederica Mr. Horton had received advice of what the Creeks had been doing as mentioned in my letter to the lieut.-governor, therefore was of opinion it would be improper to suffer him to proceed. He further acquainted me that the said chief had desired that I would send to Wood the trader and order him to send to him his friends from the nation. As to this matter I answered Mr. Horton as follows: although I should be very ready on all occasions to come into any measures for the public safety yet there are many reasons which make it improper for us to send into the Indian nation to invite them at this juncture. First, in my opinion the Indians must necessarily know what they are to come for; and should the Spaniards not break with us, as we must avoid breaking with them, it would be out of our power to stop the Indians from pursuing the revenge which perhaps they would be glad of such an opportunity to execute, in which case we should be liable to be thought parties. Secondly, supposing



the Spaniards had broken with us at this time, the Carolina agent being now in the nation who without doubt would not suffer anything to be done but by his leave or authority, and in that case we should unavoidably acknowledge an authority which we could no ways answer to the Trustees. I think therefore upon the whole that the Indians having thus pursued their revenge should be left to take their own methods, and we at this juncture should not in any shape concern ourselves with them. And if the people of Carolina, as they propose, should send for them, all the benefits that we could expect would be as fully answered as if we sent for them ourselves. If anything should further occur this matter may be further considered of, but it is certainly attended with these difficulties at present.

As it is universally insisted on that a place of safety should be provided for the people to retreat to in case of extremity, the people proceed in building a fort with great diligence and alacrity. It is double set, with puncheons hewed on two sides nine foot above ground, will contain two bastions on the land and two half-bastions on the water-side, the square of which will contain an acre of ground. They have already finished a battery on the water edge under the garden hill and as there are upwards of 100 men at work they propose the fort will be wholly enclosed in about a fortnight. The people mustered according to order and got most of their arms mended, and above 120 appeared with them in perfect order. I have on this occasion enumerated all the people here and have regulated all the tithings. I have the satisfaction to say that at this time all the constables and officers seem well satisfied with the regulations that are made. I have delivered to the constables sufficient ammunition of treble F gunpowder and ball for 18 charges each man to be delivered to them in case of an attack and not otherwise and they are ordered to draw out every Sunday after evening service for a review. The guard is regularly relieved at sunrising and the night-watch begins at sunseting. As it will be my care to preserve this order, so the having obtained it gives me room to hope I shall have no more occasion to represent the contrary. *Signed.* 2½ pp. *Endorsed,* Recd. by Mr. Ingham, 20 July 1737. [C.O. 5, 639, fos. 136-137d; duplicate, endorsed Recd. 3 May 1737, at fos. 187-188d.] *Enclosed,*

108. i. Charleston, 17 February 1737; Lieut.-Governor Thomas Broughton to Thomas Causton. I yesterday received yours of 9th inst. in answer to mine of 4th. I should be glad if you had given me a more perfect account of the state and condition of your province, the number of men capable of bearing arms, and particular disposition of them and how your garrisons are provided with provisions etc. It is doubtless of immediate consequence as you observe for the two provinces to concert equal measures for the public safety, and for that reason it was I recommended in my letter your sending proper persons from Georgia hither to concert such measures as may be best for your service. The council and myself were and still are of opinion that method would have better answered the purpose than by way of letters, though you have not thought fit to take the least notice of it in your letter. I likewise in a postscript to my letter gave you my opinion of what consequence it would be to the public service to secure the Creek Indians to our interest and to prevent their falling into that of the Spaniards or French and recommended it to you to instruct your agent in that nation not to give any umbrage but to act in concert with the agent sent from this province, who has full and ample directions how to conduct himself on that head. You take no notice of this in your answer although it is of the utmost consequence in the present conjuncture. This government have thought it necessary to fit out a schooner under the command of Capt. Thomas Walker to scour the coast from the bar of this harbour to St. Augustine in order to get intelligence of the Spaniards' motions. I enclose two copies of the instructions given him in relation

to the signals he is to make when he is off Tybee or in sight of Frederica; you will please to forward one copy to the commanding officer of that place. *Copy. 1 p.* [C.O. 5, 639, *fo.* 174; another copy at *fos.* 191, 191*d*, endorsed Recd. by Mr. Ingham, 20 July 1737.]

108. ii. Savannah, 22 February 1737. Reply to preceding. I have your letter of 17th inst. I am sorry to be so unhappy as not to have answered your expectations in my last. I have numbered our people in this northern part of the province and find we have more than 500 able to bear arms, more than 300 of whom are in Savannah. We have not been in very great want of ammunition but having lately supplied the southern parts have now ordered a supply to be sent from your town. I have likewise endeavoured to buy what provisions I can get and believe I shall have sufficient in a short time. Our people are very industrious in providing for their defence and are hard at work unanimously in building a fort. They have near finished a battery on the river and in about a fortnight will have enclosed the fort which will be sufficient to cover the people in case of extremity. As the magistrates here who have the execution of the Trustees' orders would be always very glad to act agreeable to your sentiments I hope you will continue to transmit such advices as you think necessary for the public safety.

As there is a case depending between the two provinces concerning Indian affairs which is to be decided in England, I desire to be excused from saying or acting anything on that head. I have dispatched Capt. Walker's instructions (as desired) with orders to watch for his signals. On Sunday last Mrs. Musgrove advised me that some of the Creek Indians who have been hunting to the southward arrived at the Cowpen with seven Spanish horses and accoutrements and gave the following account: that on the main beyond the Altamaha two of their company discovered nine horses saddled and bridled; they were going towards them and four men appeared who ran to their arms, one Spaniard, one Yamassee Indian, one mulatto and one negro. These endeavoured to seize the two Creek Indians but they gave them good words; the Yamassee Indian understanding the Creek language, they entered into talk and the Spaniard etc. would have persuaded the two Creeks to have gone with them and they, seeming to comply, brought them to the camp of the Creeks who discovering that the Spaniard etc. had several things which they knew to be the same as were taken about a year since from some of their friends who had been killed, therefore believing them to be the murderers, killed them all four and brought away their horses, two of which being unfit for travelling they also killed. They further said that the Yamassee Indian being asked where the rest of the men were that belonged to the horses said there were no more but that they were to leave some of the horses at the Appalachee Old Fields. This account agrees with what one of their company gave at Frederica, by which it is added that the Spaniard etc. told the Creeks that they would be very welcome if they would go to the Spaniards, that there was daily expected a considerable body of men from Havana for whose support they were ordered out to drive up what cattle they could find. We have two armed boats scouting on the inland passages, one of six and the other of eight oars, but have not as yet made any discoveries. *Copy. 1 p.* [C.O. 5, 639, *fo.* 190; another copy at *fo.* 175, 175*d*.]

109

February 25.  
Georgia Office.

Benjamin Martyn to Philip George Frederick von Reck. The last time you were at the Board of Trustees for Georgia you undertook to engage a certain number of German Protestant servants for the use of the Trust and then received a copy of instructions for the said purpose. The Trustees



desire to know whether you have done anything since in relation thereto and what you have done. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 7d.]

**110** Richard Partridge to Alured Popple, transmitting votes of House of  
February 26. Representatives of Massachusetts sent by Governor Belcher. They came  
London. to my hands in a box but this day, from on board Capt. White late  
from Boston. *Signed*.  $\frac{1}{2}$  p. *Endorsed*, Recd. 28 February 1736/7, Read 8 June 1737. [C.O.  
5, 879, fos. 171-172d.]

**111** Opinion of Attorney- and Solicitor-General on a case and some queries  
February 26. relating to offices granted in Barbados. The case: Lord Howe's com-  
mission to be governor of Barbados empowered him to appoint judges and other  
officers. He appointed John Edlington to be surveyor-general of the island by a com-  
mission dated 31 July 1733 under his hand and private seal. It appears a commission of  
the same nature was granted in the same manner in 1690. It is usual on the death of a  
governor for the president-in-council to issue a proclamation to continue all officers;  
that was proposed on Lord Howe's death but not thought necessary. Queries: (1)  
whether the commission under Lord Howe's private seal is void by Lord Howe's death?  
(2) whether if such a proclamation had been issued it would have made any alteration to  
the continuation of commissions under private seals? (3) whether the great seal of the  
province should not be affixed to every act of government requiring a seal?

The Law Officers' opinion: (1) Lord Howe was not empowered by his commission  
to grant the office in question but only judicial offices and the ministerial ones attending  
on them. Supposing the governor has the power to grant the office in question, we think  
the seal used ought regularly to be the great seal. But if there never was any grant other-  
wise than under the governor's private seal and that has been used in the grant of other  
such-like offices, usage may dispense with the general rule and the grant may be good;  
and then we are of opinion Lord Howe's death will not put an end to it. (2) Such a  
proclamation as is mentioned would have made no alteration. (3) It is safest and there-  
fore most advisable that all acts be under the great seal. The private seal if a usage exists  
may be sufficient but is always liable to disputes. *Signed*, D. Ryder, J. Strange.  $3\frac{1}{2}$  pp.  
*Endorsed*, Recd. 26 February, Read 2 March 1736/7. *Enclosed*,

111. i. Commission from Lord Howe to John Edlington to be surveyor-general  
of Barbados, 31 July 1733. *Copy*.  $2\frac{1}{2}$  pp.

111. ii. Certificate by James Mytton, deputy secretary, that John Edlington took  
the oaths appointed and subscribed the Test, 31 July 1733. Recorded in secretary's  
office, 4 September 1734. William Duke, deputy secretary. *Copy*.  $\frac{1}{2}$  p. [C.O. 28, 24,  
fos. 195-198d.]

**112** Letter from Daniel M'Lachlan. The Highlanders will not leave their  
February 26. country without their leaders and the leaders are afraid to venture into  
London. a foreign country. But they have such affection for one another that  
they would go in shoals to America if there was a sufficient detachment of their own  
people planted before them. With the countenance of the Trustees of Georgia, I will  
engage to carry over in two years enough men to more than double the present strength  
of Georgia without any expense other than proper utensils and first year's maintenance.  
This project would help to civilize the Highland clans, strengthen Georgia, and bring  
relief to people in a miserable, starving condition. I desire no premium other than my  
expenses. If I cannot prevail upon all the clans at first I am sure to prevail upon our own  
and decoy the rest into happiness and plenty. The first detachment could be embarked

about 1 August next. Our people are used to hardships: what they reckon comforts are very simple. If this project is kindly received I shall immediately apply myself to the prosecution thereof. *Signed.* 4 pp. [C.O. 5, 639, fols. 162-163d.]

**113** Francis Fane to Council of Trade and Plantations, reporting on Act  
February 26. of South Carolina for ascertaining public officers' fees. I have been attended by Mr. Sharpe on behalf of the patent officers in that colony; he has represented that by this Act, without the least complaint of corruption or misbehaviour in their several offices, three parts in four of the legal fees of the patent officers are entirely taken away. The practice of lessening fees of crown officers prevails so much in the colonies that without your interposition H.M.'s intentions in his grants of offices must soon be defeated. This seems, if the facts are true which have been represented to me, the most extraordinary attempt of the kind, and I am of opinion that the Act ought to be repealed. *Signed.* 1 p. *Endorsed,* Recd. 4 March, Read 8 March 1736/7. [C.O. 5, 365, fols. 195-196d.]

**114** Same to same. I have considered the two cases mentioned in Governor  
February 27. Fitzwilliam's letter of 12 November last relating to right of administration to John Sims, a mulatto, and to treasure found at Providence. As to the first, Sims dying intestate without any relations the moiety of such estate which, it is stated, he died in possession of becomes the right of the crown; the other moiety his wife will be entitled to as he left no children. As to the other case, if no person can legally prove a property in the treasure found it will be deemed the property of the crown. *Signed.* 1 p. *Endorsed,* Recd. 8 March, Read 9 March 1736/7. [C.O. 23, 3, fols. 228, 231d.]

**115** President James Dottin to Council of Trade and Plantations trans-  
February 28. mitting copies of three Acts lately passed and copies of treasurer's  
Barbados. accounts. *Signed.*  $\frac{1}{2}$  p. *Endorsed,* Recd. 28 April, Read 3 May 1737.  
*Enclosed,*

115. i. List of papers sent. Titles of Acts: to prevent exportation of clay; to prevent hardships by forestallers, ingrossers and regrators; to enable assignees of debts to commence suits. Treasurer's excise accounts. 1 small p.

115. ii. Accounts of duties on liquors and negroes imported into Barbados for 4 quarters, 13 June 1735 - 13 June 1736. No. of ships bringing liquors: 25. No. of ships bringing negroes: 22, carrying 1375 negroes. Gross receipts of duties: 2270l. 6s. 10d. including sums bonded. *Signed,* John Bignall, treasurer. 16 pp. [C.O. 28, 24, fols. 199-210d.]

**116** Same to Duke of Newcastle. [*In substance same as No. 115 with*  
February 28. *enclosure i.*] *Signed. Endorsed,* Recd. 27 April. [C.O. 28, 45, fols. 402-404d.]  
Barbados.

**117** Thomas Hawkins to [? Trustees for Georgia]. Since Mr. Oglethorpe's  
February 28. departure we enjoy a great share of health. The people in general are  
Frederica. hearty and strong which in great measure is owing to our temperance, and notwithstanding our present alarm are resolutely bent to maintain their ground whenever our treacherous neighbours think proper to molest us. The greatest uneasiness complained of here is the frequent guard duty and want of more people which Savannah takes care to prevent by augmenting itself. As affairs turn out at present it is to be feared that our inhabitants will be hindered from planting any quantity this season being obliged to keep home though many have been very industrious in forwarding their fences and 10 men would have completed 600 acres by this time if not hindered. Our



young stocks increase but sometimes on this island as well as all other parts of America we are disappointed by the wolves. Nor have they met with small discouragement from the bad seed last year and the want of a supply this season. The year began moderately warm and I observed about 7th January began to be very cold with frosts till the 12th when the barometer was sunk to 75 degrees, the next day it advanced to 5. At present the season is very pleasant and often refreshed with showers and may well be compared to an English April, so that the few things planted succeed well. We have buried no people since my last account but Mrs. Loope, a person of 60 years, and a child of 4 months; so that since our embarkation no people have been favoured with the like success. *Signed.* 2 pp. [C.O. 5, 639, fo. 151, 151d.]

118

March 2.  
Palace Court.

Minutes of Common Council for Georgia. Read a letter from Benjamin Berry dated 19 February 1736/7. [See No. 95.] Mr. Berry was acquainted that the expenses of his proposal were too great. Ordered, that another sawmill and 50 muskets and bayonets be provided for the colony. Resolved, that credit be given to Hugh Anderson of 12 bushels of corn and 200 lbs. of meat for himself and each of his servants for a year in case he may want it. Ordered, that Mr. Causton be directed to buy such gunpowder as is wanted in the colony. Referred Count Zinzendorf's request to committee of correspondence to determine. Resolved, that Mr. Simond be desired to let Mr. Causton have a credit on his correspondents at Savannah in money or provisions not exceeding 500l. 2 pp. [C.O. 5, 690, pp. 53-54.]

119

March 2.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 30l. paid in by Richard Cookesey in discharge of so much advanced his son William Cookesey at Savannah. Received by Dr. Hales, 25 books called Mr. Law's *Serious Call to a Devout and Sober Life*, and 25 others called Mr. Law's *Christian Perfection*, benefaction of a lady who desires to be unknown. Received by the same, 10l. benefaction of Rev. Mr. Williams of Devonshire for support of missionaries in Georgia. Read, petition to House of Commons for a supply to enable the Trustees to provide for the further establishment and security of Georgia; sealed the same, secretary to countersign. Resolved, that the secretary sign a receipt to Sir Jacob Desbouverie, Bart., for 1000l. to be paid in by the said Sir Jacob to be laid out in the expense of servants for the benefit of Georgia. 2 pp. [C.O. 5, 686, pp. 355-356.]

120

March 2.  
Whitehall.

Alured Popple to Sir William Yonge enclosing extract of Governor Lee's letter of 25 September 1736 relating to the arms, ammunition and stores in the garrison of Placentia and to the company of Brigadier Philipps's regiment there being entirely unprovided with smallarms. *Entry.* 1 p. [C.O. 195, 7, p. 405.]

121

March 2.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. My last was 28 December past. I kept the general assembly of this province sitting to 4th of last month and then prorogued them to 13 April; but before they rose I brought them into a proper supply of the treasury, in which bill they endeavoured to drop several of the King's forts and to reduce the quotas of men in the rest, but as I refused to sign the bill with those clauses they voted the pay and subsistence of all the forts (as they then stood) to 20 May next. They grow very uneasy about some of the forts and desirous to reduce the men in them all so that I can't say what length

they may carry the matter at another session. Enclosed are journals of House of Representatives from the last sent to the close of the session and also answers to several queries lately received respecting the province of Massachusetts. The 5th current I intend to my other government of New Hampshire where I have ordered an assembly to meet me on the 8th and shall there do everything in my power to advance H.M.'s honour and the welfare of that province. *Signed.* 3 small *pp.* *Endorsed,* Recd. 27 April, Read 29 April 1737. *Enclosed,*

121. i. Answer of Governor of Massachusetts to several queries received from Council of Trade and Plantations; Boston, 2 March 1736/7. (1) The situation of the province is on the Atlantic Ocean from whence in summer it is often refreshed by the easterly winds. The soil thereof very different. On the seacoast it is partly rocky, as at Cape Ann, Marblehead, Conahasset, and partly sandy, as at Cape Cod, Plymouth, Plum Island, etc., where the water is generally shoal. The climate is good and wholesome; oftentimes very cold in winter and hot in summer, but cooled with the sea wind as above and generally agreeable to Englishmen. The latitude is between 41 and 43 N. from exact and curious observations of skillful mathematicians; the longitude from London about 71 degrees by the observations of the best mariners. The most considerable places are Boston, the metropolis and a good harbour situate in the bottom of the Massachusetts Bay; Salem and Marblehead, good harbours; Ipswich, four miles from the sea; Newbury, on Merrimac river, six miles from the sea, a good harbour but barred, yet ships of 400 tons have been built within the bar; Plymouth, on the sea; Bristol, above Rhode Island and a good harbour. No Spanish settlement but at a great distance to the westward; the French to the northward and westward on Mississippi and Canada rivers.

(2) The boundaries by patent from Charles I are the Atlantic or Western Ocean on the east, the South Sea on the west, three miles north of the north part of Merrimac river and so as the river runs and continues, and from thence a due west line to the said South Sea: the boundary was settled in Charles II's reign *anno* 1677 on a dispute and hearing between the grantees of the province of the Massachusetts colony and the grantees of the province of New Hampshire and of Maine. The south boundary three miles south of the southernmost part of Charles river and thence a west line to the said South Sea. But after the conjunction of Plymouth colony to Massachusetts by a new patent (or charter) from King William and Queen Mary the bounds of Massachusetts on the south is by the sea until it comes to Pawtucket river and so up the same until it comes to the line aforesaid from three miles south of the southernmost part of Charles river. This boundary is in part controverted by Rhode Island, as is the northern by New Hampshire, though settled as aforesaid.

(3) The constitution is by a governor commissioned from H.M., a council of 28 persons annually chosen on the last Wednesday in May by themselves, and the representatives of the people who are chosen by the respective towns, one or two as they are for numbers (a town of 100 families may send 2, 40 families 1, and the town of Boston 4), which governor, council and representatives have power by the royal charter to make laws, rules and orders for the good government of the people, to grant land, erect towns and counties, etc. under the restrictions of the royal charter.

(4) The trade is in codfish sent to Spain, Portugal, the Mediterranean, etc., in whaleoil and bone, and naval stores, as timber, deals, tar, turpentine, etc., in building ships. The quantity of shipping cleared last year at the several offices was near 30,000 tons, 12,000 of which may have been built the last year in the province; many are owned by merchants in Great Britain and some here. There are besides 4-500



small vessels from 20-40 tons that coast from one colony to another and there may be about 3000 seafaring men in and from this province though not properly inhabitants. The trade in shipping and naval stores has increased considerably within 10 years past and the fishery has decreased. (5) The British manufactures brought hither are woollens of various sorts, as broad cloths, flannels, baizes, etc. about 50,000*l.* sterling; haberdashery and iron wares, 30,000*l.* sterling; canvas, twine and cordage, 15,000*l.* sterling; hemp, iron and India goods, about 25,000*l.* Total: 120,000*l.* sterling. This is generally judged to be the importation from Great Britain the last year. (6) Besides the trade to Europe as mentioned in 4th article, some small vessels go frequently to the Western Islands, to Madeira and to the Canary Islands from whence they bring wines in return for fish, beeswax, staves and other lumber they carry thither. Heretofore many vessels went to Surinam, Cayenne, St. Thomas, St. Eustatius, Curacao, and to other Dutch, Danish and French Plantations, which trades are now shut up by the Act of Parliament commonly called the Sugar Colony Act. (7) When any illegal trade is discovered the Acts of Parliament are observed in the prosecutions but the seacoast of the province is so extensive and has so many commodious harbours that the small number of Custom House officers are often complaining they are not able to do much for preventing illegal trade. Nor does the Sugar Act take any great effect; great quantities of foreign molasses are still brought into this province and much of it by way of Rhode Island.

(8) The natural produce of the province, staple commodities and manufactures are fish, whaleoil and bone, timber, masts, deals, staves, tar, turpentine, hemp, flax, shipping, the value of which in a year may be about 100,000*l.* sterling. As to bread and clothing there is not near enough raised in the province for the inhabitants. (9) Great plenty of ironmines which may in some years supply iron sufficient for the demands of the province. There are also appearances of copper, lead and tin, but few or no undertakers in them at present through the dearthness of labour and the want of persons well skilled in such affairs.

(10) and (11) There were of rateable male polls 10 years ago 22,000 and the last year 30,000. There may be females and not rateables, with those under 16, 4 to 1. In this province negroes (men, women and children) about 2000. The increase of the people must be attributed to the great healthiness of the climate and the long time of peace by sea and land.

(12) That I may make the more exact answer to this I have directed the colonels of the several regiments to return me lists without delay of the officers and men of each company which I shall transmit. (13) Castle William at the entrance of Boston harbour has 89 cannon mounted, in good condition, has but 45 men (including officers and centinels); Fort George, a small stone fort built in time of war, of 50 feet square, to hinder the Indians from fishing at a place called Pejepscut Falls in the province of Maine; Richmond Fort in Kennebec river about 20 miles from the fore-mentioned is a timber building and pallisadoed, built for the reception of soldiers in their marches after the Indians; a blockhouse built on George river about 20 miles from Richmond Fort. These two last mentioned forts have five or six small guns apiece with each about 15 men (including officers); they are now made use of for trading houses with the Indians and are in a wretched condition, ready to tumble down. Fort Frederick at Pemaquid, a poor place of defence, having nothing round the house and barracks but a dry, loose, stone wall, and the greatest part of it fallen down: it has six small guns and 15 men (with officers). A small blockhouse on Connecticut river with four guns and 15 men, in a poor condition, is used at present for a trading house with the Indians. There is another small fort on Saco river in the

province of Maine with the like number of men and guns as the last and used as that is. The province lying under a heavy debt (the fruit of the late French and Indian wars) the assemblies begin to be uneasy at supporting these forts and made an attempt this last session to slight Frederick's Fort at Pemaquid and Fort George at Pejepscut, and to reduce the quotas of men in all the rest, and they are under an establishment no longer than to 20 May next. I shall still endeavour to withstand anything so derogatory to H.M.'s honour and so unsafe for the province; yet as the pay and subsistence is with the assembly to grant, if they finally withhold it to the whole or any part of the men, the forts will drop of course or be weakened.

(14) We have near 1000 Indians that live under the government of the province that are good Christians, sober and well-inclined, have churches and ministers settled among them; and there are about 300 in the eastern parts on the borders of the province, much Frenchified. (15) And in time of war with France they are cruel and barbarous enemies, quit their settlements, and repair often to Canada and there join with great numbers of other Indians and make incursions on the people of the frontiers.

(16) The French on Canada river to the north and north-west and indeed to the landward of all the British colonies on North America have forts and garrisons in the French King's pay and a strong city called Quebec, walled in, and a citadel with cannon and a battery near the water with large cannon. They have another city called Montreal 60 leagues south-west of Quebec, walled in all round and with large cannon, and on the lakes further south-west several fortifications, particularly Chambly Fort on the south side of the great river of Canada and 20 miles from Montreal, very strong, built with stone and laid in lime, 20 feet high and 10 feet thick, 44 great guns and 200 men. This fort stands on L'Acadie as the French themselves allow according to its ancient boundaries. The French government of Canada has in it upwards of 7,000 male inhabitants besides 22 foot companies in pay. At Cape Breton the French have very strong forts with great numbers of cannon and men. As to the Spaniards on the other side of the mainland, their settlements are unknown here. (17) The French settlements do in a great measure prevent that dependency of the Indians in America on the English government which they would otherwise necessarily have, and in time of war they greatly check the growth of this and the neighbouring province of New Hampshire and put these two provinces to great charge. And in case of a war (which God long avert) the French settlement at Cape Breton will greatly affect, if not totally ruin, the English northern fishery and the trade from Great Britain to these parts of North America.

(18) and (19) There is no revenue in this province arising to the Crown unless the annual tax for defraying the charge of the province is such, and may be about 9000*l.* sterling. (20) There are no certain establishments or salaries but the civil officers, vizt. judges, secretaries etc., are paid as the assembly pleases to allow from year to year and so are the officers of the forts and garrisons. The military officers are appointed and commissioned by the captain-general; some of the civil officers are appointed by the government with the advice of the council and others are chosen by the general court, as treasurer, impost officer, collectors of excise, public notaries etc. 12 small *pp.* *Endorsed*, as covering letter. [C.O. 5, 879, *fos.* 135-136*d*, 139-145*d*.]

122

March 2.  
Whitehall.

Order of Committee of Council for Plantation Affairs upon a report from the Council of Trade and Plantations on 26 Acts passed in Massachusetts. [See No. 67.] Ordered that the three Acts mentioned in

the second paragraph of the said report be suffered to expire of themselves and that the



Council of Trade and Plantations prepare the draft of a peremptory instruction to the governor of Massachusetts not to give his assent for the future to any Act of this nature without a suspending clause for preventing its taking effect until H.M.'s pleasure be known. *Signed*, James Vernon. *Seal*. 1½ pp. *Endorsed*, Recd. 5 March, Read 9 March 1736/7. [C.O. 5, 879, fos. 133, 133d, 138, 138d.]

123

March 2.  
South Carolina.

Samuel Eveleigh to James Oglethorpe. Yesterday arrived Capt. Nicholson from London and brought the agreeable news of your safe arrival and kind reception, and Dr. Adams assured me that it was the general vogue there that you might be governor here if you pleased. Yesterday arrived Capt. Symonds from a cruise (on board of whom my son George was a volunteer) who assures me that they cruised about two days off St. Augustine and were so near that they could discern the flag, the castle and houses, that a boat came out with eight oars and several sitters within gunshot of them but would not come on board, that they lay off Frederica some time, fired several guns and would have gone in if the wind would have permitted them, and that Walker in the *Country* schooner *alias* galley was there also, who being seen by some of the people of Frederica, Capt. Gascoigne dispatched an express to town (apprehending they were Spaniards). Col. Bull has written a letter to that governor importing that the Dog king had been at Ogeechee and assured them that (if the Spaniards came) he would come down with 60 of his people and more if occasion required. By letters and information from Savannah I am informed that the people there seem very resolute and are very brisk and attentive in building a fort and making other preparations, that the fort is in great forwardness and will in a short time be finished, and that the people are now all supplied with provisions out of the Trustees' store (I means all such as work on the fort).

By Oglatchee, king of the Tuckabatchees, and by letters from Savannah, I am informed that a party of Indians being out on their hunt somewhere about the Apalache Old Fields, being six men and four lads, met with a party of Spaniards and killed a Yamassee Indian, a mulatto, a negro and a Spaniard and took nine horses, two of which tiring on the path they killed, the other seven they brought to Yamacraw. And here I must remark that two of those Indians belong to the French at the Alabamas, one to the Upper Creeks and three to the Lower, and they took a gun that some time since belonged to an Indian that was killed by the Yamassees which provoked them to commit this murder.

About eight days since the *Don Carlos*, Capt. Fennell, with 25 men sailed to Havana to make discoveries. Last week 14 great guns were sent down from hence to Port Royal and this week eight more will be sent, which with eight they have there already will make up 30. Capt. Ferguson came to town two days since who advises me that they are very busy in finishing the fort and that half the negroes in that neighbourhood are now at work thereon. Craven's and Granvill's bastions will this week be finished and the guns mounted thereon. Yesterday being her majesty's birthday, the guns in Granvill's bastion were fired, five of which were new guns that carry a shot of 18 pounds weight. The assembly (as I am informed) are come to a resolution to raise a new company of rangers to consist of a captain and 20 men to range between Savannah river and Combehee. They are now very busy about the fort that is erecting on the White Point and is to be larger than was at first designed and to mount 30 guns. All this (as you may imagine) will amount to a very great charge, to defray which the general assembly have come to a resolution to emit 35,000*l.* in orders, which I doubt not will be very much exclaimed against at home who have not a right notion of our paper currency.

I did formerly and do now again offer my service to the Trustees to supply their province with beef, pork, corn, bread, molasses etc. and to do it upon as easy terms as any other and to be on a certainty for it (barring accidents by sea). Mr. Causton writes me now for beef which is not to be got and you may remember that last summer you were in great want of molasses and obliged to give great prices for the same, which is an inconvenience that may be remedied if I should undertake to supply the province with provisions and other necessities. *Signed.* 2½ small pp. *Endorsed,* Communicated by Mr. Oglethorpe, 4 May 1737. [C.O. 5, 654, fos. 97-98d.]

124

March 2.  
Georgia Office.

Benjamin Martyn to Rev. John Martin Bolzius at New Ebenezer in Georgia. Mr. Vernon has delivered to the Trustees copy of a letter from Mr. S. Urlsperger dated Augsburg, 15 January 1737 (N.S.), to Henry Newman acquainting him that Mr. von Ploto had secured effects belonging to the Salzburghers to a considerable value. The Trustees therefore desire you will enquire if any of the Salzburghers at Ebenezer have left any effects behind them and if they have that you will send over a specification of their demands and a proper authority from them to the Trustees or whoever else they may think proper to receive them. *Entry.* ½ p. [C.O. 5, 667, fo. 7d.]

125

March 3.

John Sharpe, agent for Governor Mathew, to Council of Trade and Plantations, answering M. Hop's memorial. The governor by a general law of 1701 for preventing trade between English and foreigners had power to commission British subjects to seize vessels trading contrary to that Act. By another Act of Montserrat he has power to grant commissions to seize French ships coming within one league of the Leeward Islands and having actually traded with British subjects. He is also required by his instructions to put into effect the 5th and 6th articles of the Anglo-French treaty of neutrality of 1686<sup>1</sup> and to prevent breaches of the Acts of Trade and Navigation. If the vessels mentioned in the memorial and annexed papers were not Dutch but French and the cargoes were not Dutch but French, then there is no foundation for any complaint from the States General or St. Eustatius; if the vessels were French and liable to seizure, though the cargoes were Dutch, the Dutch would have no sufficient ground for complaint.

It is a fact very notorious that there is an illicit trade daily and publicly carried on between the English and French by means of the Dutch at St. Eustatius to the great prejudice of H.M.'s sugar colonies. To prevent this and to execute the aforesaid laws and treaties, it is apprehended the governor may empower vessels to visit ships suspected of illicit trade; at least under the Montserrat Act he is authorized to grant commissions to visit French ships within the descriptions of that Act and it is impossible to know whether a ship is French until she is first searched. All the seizures pretended to have been made are four, vizt. *St. Anthony*, *Two Sisters*, *Catherine* and *Dolphin*. The *St. Anthony* was immediately discharged without a trial. As to the *Two Sisters*, there is no evidence that the ship was Dutch property; on the contrary it seems to be granted that she was a French ship. There is no evidence that the cargo was Dutch, except Robert Stewart's affidavit that persons at the trial offered to testify that it was. As to the *Catherine*, there is no affidavit that mentions this ship or any part of her cargo to be Dutch. And with regard to the *Dolphin*, though several of her sailors made affidavits, none said that the ship or cargo was Dutch: from the trial it appears she was French, all her mariners being French and her colours French. One of the claimant's producing a Dutch let-pass, it appeared that the name therein was the *Three Friends* and not the *Dolphin*. There is not

<sup>1</sup> 1680 in MS. Compare No. 133i.



one syllable of evidence attempted to be given that any part of the cargo was Dutch property; so that on the face of the proceedings it appears plain that this ship and cargo were French. As for the contradictions alleged between the evidence of William Hawkins and William Wilkinson, one says the *Dolphin* was taken within  $1\frac{1}{2}$  miles and the other within  $2\frac{1}{2}$  miles of the shore; take it upon the evidence of either, she was within one English league of the shore, and there is no contradiction.

The true state of the case, as far as I am able to judge from the papers annexed to the memorial and the best information I can get, is as follows: since the passing of the Montserrat Act the French, being disabled from illicit trade with the English at St. Eustatius, have prevailed on the Dutch there to furnish them with Dutch names for their captains, Dutch let-passes, Dutch clearances, and even to lend them the name of Dutch owners. If seized, they pretend the whole is Dutch property. I apprehend that what the traders in St. Eustatius aim at is to have general orders given to Governor Mathew so that they may evade all the laws and treaties against illicit trade.

As to the words reported to have been used by Governor Mathew, they are very general ones; and when he spoke of ruining their trade, I apprehend it can only be understood their unlawful trade with the English. The enclosed paper shows the violent measures taken even by H.M.'s own subjects of Rhode Island, who openly armed and joined the French to protect this illicit trade.

This is the best answer I can give at present; if the nature of the case admits of adjourning until I receive the governor's answer, I am sure he would fully justify his conduct to you. *Signed. 4 pp. Endorsed, Recd., Read 3 March 1736/7. Enclosed,*

125. i. John Harris to Governor Mathew; St. Christopher's, 25 September 1736.

While cruising between St. Christopher's and St. Eustatius on 24th inst., with a commission as *garde-cote*, I encountered a large sloop which came out of St. Eustatius under the command of Caleb Godfrey of Rhode Island, manned by 32 men at St. Eustatius, in company with a French ship which also came out of St. Eustatius. Godfrey ordered me to follow him and had his guns ready; he abused me with gross language, as did another who my mate is ready to swear was Andrew Audain, son of Dr. Audain of Sandy Point. Having only 18 men and 6 swivel guns I made off and outsailed Godfrey. *Copy, certified by William Mathew. 2 pp. Endorsed, as covering letter. [C.O. 152, 22, fos. 298-301d.]*

126

March 4.  
Savannah.

John Wesley to [Trustees for Georgia<sup>1</sup>]. When the account of the mission expenses commencing 1 March 1736 and brought down to the end of November was delivered to me, I was much surprised to find it amount to (in Carolina currency) 666*l.* 17*s.* 0*½d.* which reduced to sterling is 90*l.* 2*s.* 4*d.* A day or two since I received a second account brought down to 1 March 1737 which being added to the former the total expense of the year was 726*l.* 7*s.* 3*½d.* (98*l.* 8*s.* 1*½d.* sterling). But upon reading over both I observed as you will be pleased to do: (1) that of the sum above-mentioned 191*l.* 19*s.* 6*½d.* was paid Mr. Quincy partly for a bed, hangings and furniture, partly for making a cellar, building a hut, and improvements by him made in and about the house; (2) that 86*l.* 6*s.* 9*d.* has been since expended at several times for necessary repairs of the cellar (which was fallen in), the house and the fences round it and the garden, a great part of which fell down being quite decayed; (3) that 98*l.* 10*s.* 9*d.* was expended in three journeys to Frederica, twice by water and once by land, whither not my own pleasure but the desire of some of that desolate people and the need of all called me; (4) that 26*l.* 1*s.* 9*d.* was expended at several times in clothing for Mr. Ingham. These particulars together amounting to 402*l.* 18*s.* 9*d.*, the expense of

<sup>1</sup> See No. 343.

Mr. Ingham's food for two or three months and of mine and Mr. Delamotte's subsistence from 1 March 1736 to 1 March 1737 amounts to 323*l.* 8*s.* 6½*d.* currency, 44*l.* 4*s.* 4*d.* sterling. I thought before I left England that from the little knowledge you had of my manner of conversation you would not easily have believed me capable of embezzling your's any more than my own goods. But since it is otherwise, since you have sent orders to limit my expenses to the Society's 50*l.* a year, be it so: I accept it and (during my stay here) desire to have neither less nor more.

One thing farther I desire, that whenever I am accused to you on this or any other head (and it is necessary that offences should come) you would allow me the justice due to a common criminal, the knowing my accuser (which I must insist upon before God and man) and the being heard before I am condemned. I cannot but acknowledge the readiness of the magistrates here, Mr. Causton in particular, in assisting me so far as pertains to their office both to repress open vice and immorality and to promote the glory of God by establishing peace and mutual goodwill among men. And I trust their labour hath not been quite in vain. Many ill practices seem to lose ground daily and a general face of decency and order prevails beyond what I have seen anywhere else in America. My prayer to God for you is that you may with one heart and one mind glorify God our Saviour in all things, that neither open nor covert opposition may ever be able to disjoin your hearts or weaken your hands, but that you may calmly and steadily pursue his work even though men should therefore cast out your names as evil. And the God of glory shall accept your service and reward everyone of you sevenfold into his bosom. *Signed.* 3 pp. [C.O. 5, 639, fos. 207-208.]

127

March 5.  
Charleston.

Paul Jenys to Harman Verelst. The several letters and packets addressed to our house for the colony of Georgia have been forwarded. The sundries shipped per Capt. Keet for account of the Trustees came safe to us except one of the tubs of bamboo plants which was washed overboard on the passage. As you in a particular manner recommended the cask with seeds and papers to be forwarded by a safe hand I on the arrival of the *Brooke* advised Mr. Causton of what was addressed to us from the Trustees and desired that he would inform me how I might with safety convey them to the colony. On which he directed me to commit the cask with the other things to the care of Mr. Grant in a boat belonging to the colony, which I accordingly did, and the letters for Mr. Oglethorpe also, expecting that that gentleman had given some directions to Mr. Causton concerning what letters might arrive after his sailing. Had the cask you mention in yours of 13 January been in my possession I would have forwarded it as the Trustees direct, the square box packed therein. But I sent all without loss of time to Mr. Causton to whom I shall convey your letter just now received per Mr. Braithwait. Enclosed is the letter directed to Col. Stephens which you desire me to return.

I congratulate you on the safe arrival of Mr. Oglethorpe. It gives me the utmost concern to find in the Commons House of Assembly so many members so much out of temper and irritated against a gentleman who has given many instances of his good inclination to serve this colony. But I expected this from some who, influenced by private views only, think it their interest to oppose him and from others who could find no other way to gratify their resentment for the opposition that gentleman made against them when last in England. I am as deeply concerned as the Trustees can be that any disputes should arise between the two colonies and used my utmost endeavours to promote a reconciliation though to little purpose. I never doubted but the Trustees would have accommodated all our differences and very readily have redressed the grievances complained of with respect to the navigation of the Savannah river and the



free trade with the Indians upon our transmitting to them a just state of the matters in dispute; but this method was rejected and nothing would do but a public application to H.M. I am not a little troubled that my endeavours to promote the welfare of both colonies should have created me many enemies in this, but I am the less concerned as I am conscious I have nothing more at heart than the safety and success of both.

We have no certain advices of any preparations now making at Havana to invade Georgia and I am inclined to believe no acts of hostility will be committed. But if any attack should be made against your colony, notwithstanding the late disputes, this government will use their utmost strength to support and defend Georgia. This you will know more fully by the assurances this province has given the Trustees in a late letter. *Signed.* 3 pp. [C.O. 5, 639, fos. 204-205d; duplicate at fos. 201-202d.]

128

Extract from unsigned and unaddressed letter from St. Christopher's.

March 7.

Most of us wish for a change of general. Our great man has lately been at Antigua quelling rebellious negroes. He fawns on the dregs of the people and trembles for what he has done out of dread that his captures will be restored. His prize, the *Fleurion*, now called the *Fitzwater*, is loading for London; I hope she will not be permitted to enter. If the Montserrat Act is not rejected and satisfaction made for the *Fleurion*, the French in their reprisals will not stop at the Guineaman they have taken. They are waiting only for the event of their solicitations at home to send out privateers. It surprises me the merchants vindicate this law; I never heard of any loss they sustained by the French in these parts till this Guinea ship. Mr. Coope's behaviour is disapproved by the whole island except Col. Burt. *Copy.* 1 p. [C.O. 152, 44, fo. 91, 91d.]

129

Benjamin Martyn to Thomas Causton, by *Peter & James*, Capt. George

March 7.

Georgia Office.

Dymond. The Trustees have received your letters of 26 November and 14 December and expect you will now go on in sending them

regularly a state of the colony by every ship. They are very much concerned to find by your letters that many of the people do not think yet of planting and that either through idleness, employing themselves too much in building, hiring themselves to labour or living upon their credit in town, they entirely neglect the improvements of their lots. They therefore require you to inform all the people that those who will be first entitled to their favour will be such as are industrious in cultivating their lands and to put them in mind of the terms and conditions of their several grants. The Trustees are persuaded that the proper employment of the people in their several plantations will be the surest means to remove all the contentions which you complain are amongst them. They are sensible of the many ill effects that must attend the great credit that is given in the province and they will very soon send over their particular orders for regulating the same and the suing for debts. They are likewise preparing a law for regulating the watch and till this can arrive they recommend it to you to avoid as much as you can all disputes relating thereto and keep everything as quiet as possible, and they hope and expect that a proper obedience will be paid by everyone to the civil power established there.

You take notice in your last letter of several letters which have been sent from Charleston to private hands in order to lessen the credit of the colony and that the people thereupon are very uneasy. Surely they cannot be affected by any advices from thence, they must be sensible, from the jealousy that has been shown, that no arts will be wanting, no arts unemployed to create uneasinesses in Georgia; and at the same time they may be assured that the Trustees who are so attentive to the welfare of the colony in every other particular will be careful of its credit in the first place, and they must know that their industry in their several plantations as it will considerably diminish the ex-

penses of the colony will enable the Trustees to support its credit the better. The Trustees are apprehensive that the negligence of Mr. Jones the surveyor has been of great prejudice to the colony; they therefore expect that you call upon him from time to time to do his duty. You must enquire what surveyors there are in Georgia and whether any of these will undertake to survey at Savannah on the same terms that Mr. Jones did, and in case Mr. Jones will not go on you must employ such of them as you shall find necessary within the county of Savannah to run out the lands within the said county immediately that the people may not suffer for the future by any delays in surveying their lands, and you must enter into written agreements with them upon the same terms as Mr. Jones's.

As the lots at New Ebenezer are not yet surveyed the Trustees have ordered that the first and second transports who were removed thither shall have the reduced allowance (particulars in Mr. Verelst's letter) continued to them up to September next and you must not require anything of them for repayment, but you must compute the crop which they took with them from Old Ebenezer as part of the said reduced allowance. The Trustees have ordered that the Salzburghers of the third transport shall be provided with the same quantity of tools and utensils and other necessities for settling themselves as the former embarkations were. They have likewise ordered that the third transport shall be provided with swine and poultry (the particulars Mr. Verelst will tell you) for which there is a particular benefaction. The house for the ministers of the Salzburghers is to be built, for which there is a particular benefaction of 16*l.*, and you must enquire whether any of the Salzburghers employed by you in building the house of the ministers at Old Ebenezer are unpaid; and if they are you must pay them what is due to them upon that account. You must likewise pay the 50*l.* for the salary of Mr. Bolzius, Mr. Gronau and Mr. Ortman to 1 November last and what expenses they have been at in borrowing money for want of payment of the same before. *Entry.* 2½ *pp.* [C.O. 5, 667, *fos.* 8-9.]

## 130

March 7.

Petition of Trustees for Georgia to House of Commons, setting forth the achievements of the colony and praying for assistance. *Entry.* 1½ *pp.*

*Enclosed,*

130. i. Account of residue of money granted in 1735 remaining on 2 March 1735/6. 1 *p.*

130. ii. Account of how the money granted by Parliament in 1736 has been applied. 1½ *pp.* [C.O. 5, 670, *pp.* 300-303.]

## 131

March 8.  
Whitehall.

Order of Committee of Council for Plantation Affairs on a report of Council of Trade and Plantations concerning the complaint of Mahomet, Chief Sachem of the Mohican Indians, of deprivation of lands; Council of Trade and Plantations is to prepare draft commission of review. *Signed,* James Vernon. *Seal.* 2½ *pp.* *Endorsed,* Recd. 10 March, Read 11 March 1736/7. [C.O. 5, 1268, *fos.* 254-255*d.*]

## 132

March 8.  
Savannah.

Thomas Causton to Trustees for Georgia. I omitted in my last to acquaint you that about a fortnight before the receipt of the advices of the Spaniards' intentions one Butler stole a passage in one of our pettiagoes to Frederica. When he went from this town he pretended to take passage in one of Mr. Williams's ships to St. Christopher's which then lay in this river about four miles below the town, and when he got on board he pretended to be very poor and unable to pay his passage; but seeing the pettiagua come by he made pretences that he wanted to speak with Capt. Gascoigne (as being well acquainted) and therefore took passage therein. When he arrived at Frederica he was observed to be very inquisitive



about the fortifications and the number of the people there, and though he pretended to be acquainted with Capt. Gascoigne he did not so much as know him. They therefore suspected he had no good intention and took him into examination, and finding he could give no good account of himself or how he came by his passage, Mr. Hawkins in the absence of Mr. Horton sent me advice that he had confined him. Mr. Horton was then with me here and promised to give me a more particular account when he got home. Upon the alarm we began to recollect how this man had behaved when here and every one who had conversed with him agreed that he wanted neither money nor sense but could not recollect any other particulars. However lest he should be the D'Tombe mentioned in Commodore Dent's advices or some such agent I desired Mr. Horton to examine him again very strictly. Upon this examination he wrote me that he could find nothing material but a letter of which the enclosed is the copy he sent. He added that he had sent for Mr. Dyson to explain the letter and that he answered very evasively so that no further discovery could be made; but he intended to confine Butler and had prevailed with Lieut. Delegale to confine Dyson. In my answer to this I acquainted him that I thought both men had no good designs and that the contents of the letter were sufficient for a close confinement. To this he replied that Capt. Gascoigne had taken Butler with him as a foremastman, he being kept close on board. As Mr. Horton makes no particular mention of Dyson I apprehend he has acquainted you with the matter and depends upon your orders.

Mr. Horton advises me in the same letter dated 28 February that the Darien people have entrenched themselves and are determined to defend themselves to the last extremity and not to quit their lands but with their lives; that the day before the date a schooner fitted out from Charleston with 40 men commanded by one Walker came into Jekyl Sound, had been as far as Augustine bar to discover what vessels were in their harbour: she saw but three, one brigantine and two small vessels; that Walker said he was chased by a sloop which by her coming up with him he believed had oars but he lost her in the night; that Capt. Symonds in the *Shark* lay before Augustine two days without showing any colours; that a Spanish launch appeared but thought proper to run back again.

Copy of letter just received from lieut.-governor of Carolina with my answer enclosed. Mr. Eveleigh advises me by his letter of 2nd inst. that the French are fitting out a fleet at Brest with a number of men on board who are to go to New Orleans and thence to destroy the Chickesaw nation. These are all the material occurrences that can be depended on, but the alarms that the people are under in Carolina are every day bringing in many inconsistent accounts which have proved false. The people are all in good health and, being informed by letters from Carolina of Mr. Oglethorpe's safe arrival in England, they are just now rejoicing round a bonfire, and I have given them a barrel of beer. *Signed.* 1½ pp. [C.O. 5, 639, fo. 222, 222d.] *Enclosed,*

132. i. 5 February 1737. E. Dyson to Mr. Butler at Mr. Bennet's in Frederica. Since we shook hands last I have found people's pulses very irregular and am at a loss how to act; therefore cannot pretend to understand the cause for want of more experience. But that time may discover and I improve. Your wifflers and weather-cocks I shall always despise. I hope an opportunity will offer for a free conversation. *Copy.* ½ p. [C.O. 5, 639, fo. 149.]

132. ii. 2 March 1737. Lieut.-Governor Thomas Broughton to Thomas Causton. Yours of 17 February came to hand 28th. I have put the forces of this province under such regulations that upon the first notice of an alarm they are to march directly away to the southward parts of this government where I propose to be myself to give the necessary orders that nothing may be wanting for the effectual defence of the colony of Georgia which I have very much at heart. *Copy.* ½ p. [C.O. 5, 639, fo. 210.]

132. iii. Savannah, 8 March 1737. Reply to preceding with thanks for kindness expressed: the contents of that letter convince me you have the safety of Georgia at heart. I have just now received advices from Frederica that the people in all the southern settlements behave extremely well and in particular that the Highlanders at the Darien have entrenched themselves and are determined for a defence to the last extremity. *Copy.* 1 p. [C.O. 5, 639, fo. 211.]

133      Council of Trade and Plantations to Duke of Newcastle, enclosing the  
March 8.      following. *Entry. Signatories,* Fitzwalter, Thomas Pelham, Arthur Croft,  
Whitehall.      R. Plumer. 1 p. *Enclosed,*

133. i. Representation of Council of Trade and Plantations to the King. We have considered the memorial of M. Hop, Envoy Extraordinary from the States General, complaining of damages and acts of hostility committed by the English against the Dutch at St. Eustatius and that Governor Mathew had granted commissions to several persons to cruise on the coast of that island who took ships and carried them to Montserrat where they were condemned. We have been attended by the agents for the Leeward Islands who offered nothing upon this complaint. But Mr. Mathew's agent offered us that by virtue of a general law of the Leeward Islands passed at Nevis 8 December 1701 to prevent any trade with the French or other foreign plantation by the inhabitants of the Leeward Islands the governor has authority by warrant under his hand and seal to grant a power to any of the subjects of this kingdom to seize vessels trading contrary to that Act; and that by the Act passed at Montserrat in June last entitled an Act for the more effectual preventing all trade in those parts between H.M.'s subjects and the French (on which we reported to you 17 December last) the governor has a power to grant commissions to seize any French vessels coming within a league of the shore or sailing anywhere within the extent of the government of the Leeward Islands and having actually traded with your subjects. The agent likewise takes notice of the 5th and 6th articles of the Treaty of Neutrality between this kingdom and France in 1686 forbidding all trade between your subjects and those of the French King in America, and of your instructions to the governor of the Leeward Islands directing him to take care that these articles and the several Acts of Trade and Navigation be duly observed. And after setting forth that an illegal trade is carried on between the English and French by means of the Dutch at St. Eustatius and that the vessels whose seizures are complained of in M. Hop's memorial were really French vessels and not Dutch, he submits whether Mr. Mathew does not stand justified for what he has done.

The Act of 1701 was intended only to prevent an immediate trade between your subjects of the Leeward Islands and the neighbouring foreign islands. It does not appear to us that any of the vessels mentioned in the Dutch memorial to have been seized by sloops commissioned by Governor Mathew were in any way concerned in trade to or from the Leewards. We are of opinion they were not within the meaning of that Act. Their condemnation under the Montserrat Act cannot be justified because an actual trade with some of your subjects must have been proved to make them liable to confiscation, which does not appear to us. We think it immaterial with regard to the legality of the seizure and condemnation whether these vessels were Dutch or French. With regard to the sloop *Dolphin* in particular, whose trial and condemnation we have considered, we cannot but observe that supposing her condemnation had been legal there was no pretence of confiscating her cargo by virtue of any clause in the Montserrat law. We mention this because the said sloop and cargo were both condemned under pretence of that law, in which provision is only made for con-



demnation of such vessels as transgress the same. Your subjects on the continent of America carry on a trade with the Dutch at St. Eustatius, and we do not know of any treaty or law that forbids the same. But if in exchange for such commodities as they carry to St. Eustatius they take foreign rum, molasses and sugar in return and import such manufactures to any of your American Plantations, they subject themselves to the duties imposed by Act of Parliament passed in the 6th year of your reign entitled an Act for the better securing and encouraging the trade of H.M.'s sugar-colonies in America. These complaints and those from France on which we reported 17 December last are occasioned by your governor of the Leeward Islands having taken upon him to explain the general law of the Leeward Islands of 1701 in a different sense from what it does import, and to his having passed the Montserrat law of June last contrary to the directions of your instructions. We have received no accounts from Governor Mathew in relation to his proceedings and conduct under colour of the Montserrat Act of June last since the passing thereof. *Entry. Signatories*, as covering letter. 7 pp. [C.O. 153, 16, fos. 44d-48.]

134

March 9.  
Whitehall.

Same to Committee of Privy Council, enclosing draft of additional instruction to Governor Belcher forbidding him to assent to any Act for issuing new bills of credit except as allowed by the 16th article of his instructions, or for continuing the currency of bills for a longer time than is limited by the Acts for emitting them unless there is a clause inserted in such Act to prevent its taking effect till H.M.'s pleasure be known. *Entry. Signatories*, Fitzwalter, T. Pelham, O. Bridgeman, R. Plumer. 1 p. *Enclosed*,

134. i. Draft of the above instruction. 3 pp. [C.O. 5, 917, fos. 93d-95d; draft of letter and enclosure in C.O. 5, 897, fos. 138d-141d.]

135

March 9.  
Georgia Office.

Benjamin Martyn to Thomas Causton. The Trustees have ordered that you send up from Savannah to Frederica a boat and guard with the recruits which the bearer of this, William Tolson, ensign, carries over with him for the independent company under Capt. Massey. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 8.]

136

March 9.  
Water-lane,  
Tower-street.

Richard Partridge to John Courand. I have lately lodged a petition to the King in Council at the Council Office relating to some disturbances at New Jersey, of which I enclose a copy and pray you would lay it before the Duke of Newcastle. I have written to Governor Belcher for the seeds. *Signed*.  $\frac{1}{2}$  p. [C.O. 5, 983, fos. 77-78d.]

137

March 9.  
Whitehall.

Alured Popple to John Scrope, enclosing extract of letter from Governor Fitzwilliam dated 12 November last relating to the estate of a deceased mulatto and to treasure found at Providence. Their lordships desire you will lay the enclosed extract and copy of Mr. Fane's report thereof before the Lords of the Treasury. *Entry*. 1 p. [C.O. 24, 1, fo. 161, 161d.]

138

March 9.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from bank for 10*l.* benefaction of Rev. Mr. Williams paid in at the last board. Received by Dr. Hales, 10*l.* 10*s.* benefaction of a gentlewoman towards the support of the missionaries in Georgia. William Tolson, ensign to the independent company in Georgia, attended to desire the Trustees' boat and a guard from Savannah for the recruits he is carrying over in the *Peter and James*. Ordered, that a letter be given him to Thomas Causton for that purpose. 1 p. [C.O. 5, 686, p. 357.]

139

March 10.  
Whitehall.

Alured Popple to Francis Fane enclosing 11 Acts passed in Massachusetts in 1735 and 1736 for his opinion in point of law, vizt. Acts for regulating private trade with the Indians; for support of ministers; for more effectual collecting of excise on liquors; to explain an Act to relieve poor prisoners for debt; to prevent counterfeiting bills of credit; to empower collectors of taxes to require aid; to prevent unnecessary petitions; to prevent the destruction of fish called alewives; for granting to Rowland Houghton of Boston the sole privilege of making and vending the new theodolite; for granting 3000*l.* for support of the governor; for altering the time for holding courts. *Entry.* 2 pp. [C.O. 5, 917, *fos.* 96, 96*d.*]

140

March 11.  
Newbern.

Governor Gabriel Johnston to Alured Popple. Having acquainted their lordships with the state of this province I take this opportunity (which I have met with beyond expectation) to beg you to solicit them for a speedy answer under cover to some of the governors of the northern provinces and by them to be forwarded by express to Edenton. It is a peculiar hardship to the gentlemen who serve the Crown in this colony that it never was before brought under any order nor subject to the regulation of the laws, that there is not a place in the whole government fit to keep any one office in, nor any gaol nor effectual law for raising the militia. So that if we have not the countenance of H.M.'s ministers and boards at home it is really impossible to carry on business. And Mr. Burrington has had the address to persuade the people that H.M. neither wants quitrents to be paid nor any of his instructions to be observed; so that if I do not soon receive orders from my Lords of Trade in consequence of my last letter I must sit still and suffer matters to go on in the same confused, irregular manner as formerly.

It is now almost two years since the Lords of Trade referred the case of the blank patents to the Attorney-General. I immediately ordered all proceedings to be suspended until we should have so good an authority to direct us. It is a great misfortune that we have never yet been favoured with Mr. Attorney's opinion for the proprietors of these patents have really endeavoured to excite the people to a rebellion because we distrain upon a few of them who refused to pay their quitrents, which is an unheard-of practice in this part of the world. I have now fairly and without prejudice sent my opinion which of these patents ought to be vacated (by the prosecution of the attorney-general of this province) and which of them ought to be allowed of; and if I don't hear speedily from their lordships I hope, if any bad consequences should happen, they will not be laid to my charge.

I was obliged to prorogue last assembly at Edenton which at first promised very fair to settle this country by enacting some good laws. But an emissary from the late governor who arrived here during their sitting did amuse them with so many representations that it was impossible to do business with them. According to the last prorogation I met them here on 1st current and recommended to their consideration the present miserable case of the province. But instead of minding that, the first thing they attempted was to take the officers who distrained for H.M.'s quitrents during the time of collection into custody, upon which I dissolved them by the enclosed proclamation. I hope you will lay before their lordships what I have now wrote to you in a very great hurry. *Signed.* 3 small pp. *Endorsed,* Recd. 17 August 1737, Read 8 February 1737/8. *Enclosed,*

140. i. Proclamation by Governor Johnston dissolving assembly of North Carolina for seeking to intimidate H.M.'s officers in the execution of their duty: 4 March 1736/7. *Copy.* 1 p. [C.O. 5, 295, *fos.* 102-104*d.*]



**141**  
March 12.  
Whitehall.  
Alured Popple to Attorney-General Dudley Ryder desiring him to prepare draft of a commission of review in the case of the dispute between Connecticut and the Mohicans. Copy of commission issued in 1706 enclosed. *Entry*. 1 p. [C.O. 5, 1294, pp. 98-99.]

**142**  
March 15.  
Whitehall.  
Council of Trade and Plantations to the King. We have lately considered an Act passed in South Carolina for ascertaining the public officers' fees. It does not appear to us that there was reason for complaint against any of the patent officers nor does the preamble accuse them. The governor and council are empowered to regulate fees. As this Act affects the property of your patent officers there ought to have been inserted a suspending clause. We lay the Act before you for disallowance. *Entry*. *Signatories*, Fitzwalter, Thomas Pelham, Orlando Bridgeman, James Brudenell, R. Plumer. 2½ pp. [C.O. 5, 401, pp. 202-204; draft in C.O. 5, 381, fos. 235-236d.]

**143**  
March 15.  
Whitehall.  
Same to Lords of Committee of Privy Council. We have considered the petition of the patent- and warrant-officers of South Carolina against the Act for ascertaining public officers' fees. [*Continues as preceding*.] We have therefore represented to H.M. for the repeal thereof. *Entry*. *Signatories*, as preceding. 3 pp. [C.O. 5, 401, pp. 205-207; draft in C.O. 5, 381, fos. 237-239d.]

**144**  
[March 15.]  
Petition of Augh Quant Johnson of the tribe of Mohicans to Council of Trade and Plantations. Petitioner came over last year with Mahomet and Major Mason, guardian of the Mohicans; these two are now dead. He prays that in the commission of review on the Mohican complaints no commissioner of Connecticut or Massachusetts be nominated but good men of New York and Rhode Island; and further that Samuel Mason, Major Mason's son, may be the guardian of the tribe. *Signed*. 1 p. *Endorsed*, Recd., Read 15 March 1736/7. [C.O. 5, 1268, fo. 257, 257d.]

**145**  
March 16.  
Whitehall.  
Sir William Yonge to Alured Popple, enclosing the following for the attention of Council of Trade and Plantations. *Signed*. 1½ small pp. *Endorsed*, Recd. 17 March, Read 22 March 1736/7. *Enclosed*,

145. i. Brigadier Richard Philipps to Sir William Yonge; Horse Guards, 10 March 1736/7. I have received your letter with extract of Capt. Lee's report that a company of my regiment in garrison at Placentia is without smallarms. The reason the fire-arms of that company being so much worn out and wanting to be renewed proceeds entirely from the neglect of Col. Gledhill, deceased, the captain thereof, from whom notwithstanding my repeated orders I could never procure any return whereby I might know the true state of his company during his command there nor for a long time after though strictly required, as appears by copy of my letter 31 May 1735 herewith sent; by whose silence believing their firearms all serviceable, I would then had I known the truth [have] sent firearms as well as bayonets which were forwarded with the clothing as appears by the answer returned to my said letter, dated 23 September 1736, copy sent, as also another letter from the same gentleman of 10 September 1736 giving me a further account of the state of both the soldiers and their arms, which said two letters coming to hand some time in November last gave me the first information of their state and condition, which you will find very different in relation to the arms from that reported by Governor Lee.

Upon receipt of which, I went immediately and bespoke a new set of arms of Mr. Barber, gunsmith in Pall Mall, which are now ready packed in two chests to be

sent to Placentia in the same ship with the clothing. And this I would have done four years ago when I furnished the rest of my regiment with new arms had I known they had any manner of occasion for them. The gentleman who delivers this will fully satisfy you that my regiment is in all respects taken care of as well and with as much justice as any regiment whatever in H.M.'s service and that if at any time there happen a deficiency the defect if not timely removed is imputable only to the gentlemen commanding on the spot, I being ready at all times to give all necessary supplies for the good of the service. *Copy. 2 pp.*

145. ii. Same to Lieut. Thomas Prendergast, O.C. garrison in Placentia; London, 31 May 1735. Capt. How of the *Phoenix* schooner the bearer hereof carries from hence recruits raised for my regiment. This is to command you to receive as many of the said recruits as will complete Col. Gledhill's company now under your command to the number of 31 private men according to the establishment. I think you cannot be ignorant that the said company is part of my regiment and that it is your duty to make constant returns to me of the strength and condition of the same, which you have hitherto omitted to do. As to what is past I shall overlook it. But for the future I shall expect to be made acquainted from time to time with every occurrence of the company and to have the returns thereof constantly sent to me. *Copy. ½ p.*

145. iii. Joseph Gledhill to Brigadier Philipps, Placentia, 23 September 1736, notifying receipt of letter of 31 May 1735, clothing, belts and bayonets by the *Providence*, but no arms. I only took the company under my care 26 May last since which time nothing has been wanting to put it in the best posture of defence. Abstract of effectives and muster roll enclosed. *Copy. 1½ pp.*

145. iv. Same to same; Placentia, 10 September 1736. On 26 May last I took the care of the company here by virtue of my commission resigned to me by my late father, Col. Gledhill. The company mostly consists of old men fit for Chelsea only, few or no arms fit for service. As to the arms, you will please order new for the whole company. I shall recruit the company so far as lies in my power. I received by Capt. St. Barbe provisions for seven months only. There is no clothing as yet arrived. *Copy. ½ p. [C.O. 194, 10, fos. 46-50d.]*

146

March 16.  
Virginia.

Lieut.-Governor William Gooch to Duke of Newcastle. By an express from the lieut.-governor of South Carolina I lately received advice that the Spaniards are fitting out from Havana a squadron of men-of-war and a considerable body of land forces with a design (as they give out) to attack the new colony of Georgia. As I cannot easily credit this report seeing no ground from the European news to suspect any sudden breach of the good correspondence between H.M. and that Crown so neither does it seem probable that the Spaniards should be in a condition to begin a war at this time when H.M.'s fleet is so near to their coast. Yet as it is prudent to take all necessary measures for defending these plantations in case of such an attempt, our station ship is fitting out with all speed to join H.M.'s ships of war on the South Carolina and Georgia station, and I am putting this country in as good a condition of defence as I can if they should happen to make an attempt here. Though I hope all this intelligence may prove only a Spanish bravado to intimidate the people of Georgia from prosecuting their settlements, yet I thought it became me to give you this early intimation of this threatened danger whether it is really designed or not, since in either case the behaviour of Spain is inconsistent with what they owe to H.M. *Signed. 1 p. Endorsed, Recd. 23 May. [C.O. 5, 1337, fos. 189-190d.]*



**147** General abstract of account of Trustees for Georgia, 9 June 1736 –  
 March 16. 15 March 1736/7 to be laid before them at the anniversary meeting on  
 Georgia Office. 17 March 1736/7. *Entry*. 2 pp. [C.O. 5, 670, pp. 304-305.]

**148** Report to the anniversary meeting of the Trustees of Georgia. After  
 March 17. reading the general abstract it is observed: that 124*l.* 2*s.* 2½*d.* charged  
 received in America is the sterling money at 7 for 1 on 868*l.* 15*s.* 7½*d.* South Carolina  
 currency for the duty of 3*d.* a gallon on 69,502½ gallons of rum imported into that  
 province from 1 March 1735/6 to 1 June 1736 granted by the general assembly of South  
 Carolina 9 June 1733, for the use of Georgia.

That the Trustees have received from Georgia by the *Two Brothers* which arrived in  
 January last 266 barrels of rice and 7 cases of deer skins, the rice producing 257 barrels  
 sold to John Duffield weighing net 1127 cwt. 20 lbs. at 15*s.* per cwt., 845*l.* 7*s.* 8*d.*; 4  
 barrels sold to John Woodbridge weighing net 16 cwt. 1 qr. 3 lbs. at 16*s.* per cwt., 13*l.*,  
 making together 858*l.* 7*s.* 8*d.*, and the remaining 5 barrels were emptied by the dirt in  
 garbling and by damage. Of which 858*l.* 7*s.* 8*d.*, 333*l.* 14*s.* has been received and is  
 charged as part of the 10,701*l.* 6*s.* 7*d.* received in England since 9 June 1736 and the  
 residue will be payable on 19th inst. The skins on the entry weighed 3128 lbs. but are  
 yet unsold, only 2*s.* 9*d.* having been bid, and as it is expected from the goodness of them  
 they will fetch 2*s.* 10*d.* a lb. before Lady Day next; but at 2*s.* 9*d.* a lb. if they continue  
 the same weight will produce 430*l.* 2*s.* and will make the gross produce by the said ship  
 1288*l.* 9*s.* 8*d.*

That to the sum of 321*l.* 19*s.* 9*d.* received towards the building of churches in  
 Georgia, 171*l.* 5*s.* 7*d.* appropriated by the Trustees for that use and 285*l.* 10*s.* subscribed  
 for the same use to be paid at one month's notice are to be added; and make together  
 778*l.* 15*s.* 4*d.* for building of churches in Georgia.

That the settlements are so extended from the northern to the southern part of the  
 province a minister for each division is become necessary, besides an itinerant minister  
 for the several villages in the northern division.

That notwithstanding the Society for the Propagation of the Gospel in Foreign Parts  
 did on 16 January 1735/6 approve of John Wesley to be a missionary at Georgia in the  
 room of Samuel Quincy and agreed that 50*l.* a year should be by them allowed him  
 from the time Mr. Quincy's salary should cease, yet the said society on 19 November  
 last ordered the payment thereof to be stopped. Wherefore until a provision for the  
 maintenance of ministers and catechists can be raised from the lands set apart to be  
 cultivated for that use, there is no present annual provision for such maintenance, which  
 is offered for consideration if it may not be proper to open a subscription for annual  
 contributions until the other maintenance can be raised.

As to the instructing the native Indians and converting them to Christianity, that  
 wholly employs the time of one missionary and a schoolmaster besides the occasional  
 assistance of the other ministers, and benefactions often come in for that very use which  
 at present amount to 382*l.* 17*s.* 1½*d.* remaining unapplied.

As to the sum of 11,687*l.* 8*s.* 11½*d.* depending on several persons in America to account  
 for, it is necessary to explain the reasons of so large a sum being still returned not  
 accounted for, which chiefly are two. The one is that though Mr. Causton's cash accounts  
 are received up to the end of July last yet most of the payments therein taken credit for  
 do not express the services for which such payments were made and some mention for  
 several services without the particular accounts referred to that would distinguish the  
 same, which defect is soon expected to be supplied from Georgia, proper hands being  
 employed to make out such particulars and which when received will be regularly

entered in the payment book for America and posted off to their different heads of service in discharge thereof. The other reason is for want of Mr. Causton's accounts from the end of July last and the account of the storekeeper at Frederica; Mr. Causton's are soon expected and Mr. Moore's will be delivered here as soon as settled.

The sola bills issued in Georgia amount to 4000*l.* whereof there has been paid to 15th inst. 2323*l.* There is also directed for payment to 15th inst. and not yet due 152*l.*, and then standing out 1525*l.*, which makes the 1677*l.* appropriated money for the said bills, whereof in the Bank 1000*l.*, directed on Messrs. De Smeth and Heathcote 152*l.*, balance in their hands for sola bills to be directed on them 525*l.*

The balance in the bank 15th inst. is 2672*l.* 16*s.* 9*d.* whereout deduct the 1000*l.* appropriated for sola bills, the remainder is 1672*l.* 16*s.* 9*d.*

The balance to be applied by the general abstract is 1991*l.* 14*s.* 8½*d.* whereout 41*l.* 13*s.* 4*d.* must be deducted advanced to the botanist more than was payable by the Trustees until the subscribers repay it and which is not taken credit for in the said abstract, and thereby the said balance to be applied will be 1950*l.* 1*s.* 4½*d.* whereof in the bank as above 1672*l.* 16*s.* 9*d.*, in the hands of Messrs. De Smeth and Heathcote 244*l.* 15*s.* 2*d.* and in the accountant's hands 32*l.* 9*s.* ½*d.* Which balance is to be applied as follows: for establishing the colony, 376*l.* 2*s.* 6½*d.*; particular persons, 261*l.* 1*s.*; building of churches, 493*l.* 5*s.* 4*d.*; missionaries, 382*l.* 17*s.* 1½*d.*; missionaries to the Salzburghers, 50*l.*; and the general religious uses, 386*l.* 15*s.* 4¾*d.*

Lands granted since last anniversary meeting: for religious uses, 300 acres in trust; Thomas Ormston of Edinburgh, 200 acres; Patrick Graham of Scotland, 100 acres; William Aglionby of Westminster, 100 acres; Isaac Young of Gloucester, 100 acres; David Blair of Scotland, 500 acres; Thomas Boyd of Scotland, 500 acres. Covenants for land for 30 servants in the said grants amount to 600 acres.

Number of persons sent upon the charity 1732 – 14 June 1736; 1050. Whereof 302 were foreigners, 160 North British, 588 English. 467 were men. In addition 10 Moravians (men) paid for by H.M.

Number of persons gone at their own expense are: 213. Number sent on charity (as above): 1050. Number whose passage is to be repaid: 10. Grand total: 1273, besides wives and children of those who went at their own expense, 40 servants bought for the public in Georgia, and the many settlers from Carolina and other parts which together with the above-mentioned are computed to amount to 1810 persons besides the 1050 sent on the charity, making together 2860 persons computed to be now in Georgia, whereof men 1097. *Entry.* 3¾ *pp.* [*C.O.* 5, 670. *pp.* 306–309.]

149

March 17.  
Georgia Office.

Harman Verelst to John Martin Bolzius. I received your letter acknowledging the receipt of the tokens the Trustees sent you and Mr. Gronau. As to the first and second transport of the Salzburghers whom Mr. Oglethorpe consented to remove to New Ebenezer at their request and that their crop at Old Ebenezer should be for their use towards their subsistence, the Trustees have considered them to be assisted from the store on the reduced allowance to September next without expecting repayment thereof; but their crop at Old Ebenezer and whatever has been advanced to them since their new settling must be accounted as part. As to the new boat, Mr. Causton has directions to pay for it. As to the lands set out for the Salzburghers at New Ebenezer, there are more already set out than cultivated to raise their subsistence from, and directions are given to have the remainder set out with all possible expedition, the surveyor as much as can be to do equal justice in marking out each person's lot wherein some part may be of one soil and some of another.

As to the third transport of Salzburghers, they were computed part of the last em-



barkations for the southward, and it was intended to have desired Mr. Gronau to have ministered unto them there. But the altering that intention on their arrival in Georgia occasioned great difficulties to provide for them as first settlers, all their tools, necessities and provisions being on board those ships for the southward which could not be unpacked at Tybee nor until they were debarked where the said embarkations were appointed to be settled. This consideration must take off all blame from the Trustees who had so fully provided for them in the same ample manner as the former Salzburghers. In this situation therefore the Trustees sent their direction for the supplying them with provisions as first settlers and with iron pots, tools and necessities for settling themselves, which I have again repeated and am satisfied it will be if it has not already been complied with; but then whatever they have received must be accounted as part.

A particular benefaction has enabled the Trustees to send orders for a cock and hen to be given to each man of the third transport of the Salzburghers, and a sow, a turkey hen and a goose to every five heads of the said transport, and that 16*l.* sterling should be laid out for building your house and schoolhouse at New Ebenezer. I have written to Mr. Causton to make good any payment to the Salzburgher carpenters, if any were employed on Mr. Gronau's house at Old Ebenezer. The accident of your not receiving the 50*l.* paid in by the S.P.C.K. for your salaries to 1 November last was owing to the sola bills sent for payment thereof to Mr. Oglethorpe not being arrived before he sailed from Georgia. On receipt of this letter it will be paid together with expenses you have been at in borrowing money for want thereof. *Entry.* PS. My service to Mr. Gronau. I have sent you from the Trust a pair of cullen stones for a handmill as Mr. Ziegenhagen desired for the Salzburghers. The reduced allowance is to each head for a year: 15 bushels of Indian corn, 200 lbs. of meat, a quart of molasses a week. 2 *pp.* [C.O. 5, 667, *fos.* 12*d*-13*d.*]

## 150

March 17.  
St. James'.

Order of King in Council approving report from Committee for Plantation Affairs that John Maycock should be a member of the council of Barbados in the room of Mr. Ashley who has left the island without any design to return. *Copy*, certified by James Vernon. 1½ *pp.* *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 28, 24, *fos.* 215, 215*d*, 218, 218*d*; warrant in C.O. 324, 37, *p.* 42.]

## 151

March 17.  
St. Bride's.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 10*l.* 10*s.* benefaction of a gentlewoman towards support of missionaries in Georgia. Received by Dr. Hales, 100*l.* benefaction of a gentlewoman towards support of missionaries and schools for instructing and converting to Christianity the Indians in Georgia. Resolved, that Dr. Hales return the thanks of the Trustees for the same. Read, the resignations of John White and Robert More; William, Lord Talbot and Thomas Archer were chosen Common Council men in their room. Sir Jacob Des Bouverie Bart. was chosen one of the Trustees. General Abstract of Account of the Trustees from 9 June 1736 to 15 March following was read and ordered to be entered. Read, resignation of Robert Hucks; Robert Eyre was chosen Common Council man in his room. Resolved, to thank Dr. Warren for his excellent sermon preached to-day and to desire him to print the same. 2 *pp.* [C.O. 5, 687, *pp.* 1-2.]

## 152

March 18.  
Whitehall.

Council of Trade and Plantations to the King, recommending confirmation of three Acts passed in Jamaica in May 1736, vizt. Acts to explain will of John Wolmer late of Kingston, goldsmith; to confirm sale of Fort House in parish of St. Catherine; to enable David Jones, a minor, and Robert

Kilbie, his guardian, to sell lands. *Entry. Signatories*, Fitzwalter, O. Bridgeman, J. Brudenell, R. Plumer. 2 pp. [C.O. 138, 18, pp. 99-100.]

**153** Alured Popple to Francis Fane, enclosing two Acts passed in Antigua  
March 18. in November and December 1736 for his opinion in point of law, vizt.  
Whitehall. Acts for relief of insolvent debtors; for adjourning Courts of King's  
Bench and Common Pleas in Antigua and for lengthening time for sale on execution.  
*Entry.* 1 p. [C.O. 153, 16, fo. 48d.]

**154** Attorney-General to Council of Trade and Plantations enclosing draft  
March 19. of commission of review in the dispute between Connecticut and the  
Mohicans. *Signed*, D. Ryder. *Annotated*, The above-mentioned draft was sent back to the  
Attorney-General and returned with his report dated 30th and read 31st inst. March.  
1 p. *Endorsed*, Recd. 21, Read 22 March 1736/7. [C.O. 5, 1268, fos. 258-259d.]

**155** Explanation of some points of the petition of Sebastian Zouberbuhler  
March 19. for introducing 100 Swiss families into South Carolina in order to  
begin the peopling of a new township by the name of New Windsor. In addition to the  
grant of a town lot, 50 acres of land and one year's provision out of public funds, which  
each settler receives, Col. Purry was granted by H.M. 48,000 acres of land for himself on  
condition of carrying over to South Carolina 600 souls in six years to settle a township  
on the river Savannah. The assembly of the colony also paid him 2800/. Carolina currency.  
Petitioner contracted with the council in Carolina on 17 July 1736 to procure 100 families,  
and brought over 50 in November last. He asks for the same rewards and advantages  
as were given to Col. Purry, undertaking to introduce the same number of souls. Owing  
to his long passage from Carolina, he cannot get his people to Carolina by October next,  
which is the contracted date; and he asks for two years from 1 October 1737 in which  
to complete his undertaking. The value of the 48,000 acres which he asks is much less  
than the land given to Col. Purry, the township of New Windsor lying 200 miles further  
from the sea than Purrysburgh. *Signed.* 3 pp. *Endorsed*, Recd. 19 March, Read 26 April  
1737. [C.O. 5, 365, fos. 204-206d.]

**156** Order of the Committee of Council for Plantation Affairs referring the  
March 19. following papers to Council of Trade and Plantations. *Signed*, James  
Whitehall. Vernon. *Seal.* 1 p. *Endorsed*, Recd. 23 March, Read 24 March 1736/7.  
*Enclosed*,

156. i. President Gregory to Duke of Newcastle, 23 November 1736, forwarding  
an address from the legislature of Jamaica. The country has for these three months  
been undisturbed by the rebel negroes, from what cause I do not well conceive: our  
success against them has not been considerable nor their numbers lessened that we  
certainly know of. It has indeed been reported that they had smallpox amongst them  
and that several have died, but I do not think that report much to be depended on.  
Our parties have not yet been able to discover their main settlement called Capt.  
Cudjo's Town, from whence they used to send small parties by surprise to rob and  
disturb the inhabitants. Could we be secure they would continue thus quiet, it would  
be prudent to let them alone unless we had the prospect of effectually destroying them  
which I have little reason to expect by parties of white men who cannot sufficiently  
bear the fatigues of travelling over mountains and woods. It must be done by their  
own colour, if we could safely trust such a body together with arms. I have used my  
endeavours to propose a treaty to such as have been out for the space of five years



promising them liberty and lands to cultivate if they would submit on condition that they would clear the woods of such as resolve to stand out, and entertain no more amongst them. But I have not been able to procure any that would venture to carry the message to them though upon promise of reward. I am of opinion if H.M. would so far assist us with money as to purchase the freedom of 200 slaves, such as we should judge could be best depended upon, and put them under a British establishment as to their pay, it might save H.M. the expense of sending that number of soldiers; and they would be extremely useful not only for this service but likewise in case of any foreign invasion. I enclose my speech to the assembly and their address, by which you will be able in good measure to judge of the present state of our country. *Copy.* 2½ pp.

156. ii. Address of president, council and assembly of Jamaica to the King, offering the distressed and unhappy condition to which this colony is at present reduced. The slaves in rebellion which have already cost so many lives and so much expense continue as insolent, troublesome, and we believe as numerous as ever. To reduce them and to defray other contingencies your subjects here have lain under the weight of many grievous taxes; we find ourselves still under an absolute necessity of continuing this oppressive load in order to the raising and sending out of parties, the building of barracks and subsisting the forces which you have sent to our assistance. The loss of our trade which was formerly so beneficial to this island and constantly furnished us with money has put us under great straits and difficulties, as it was the only channel through which those necessary supplies were conveyed to us. But that which completes our misfortunes and renders our condition most unhappy and deplorable is the late excessive fall of our principal commodities which are at present so far diminished in their value in Great Britain, the sole mart allowed us for them, as not only to prevent the hopes and prospect of any further accession of strength to the island and to discourage entirely the undertaking of any new settlements among us but also to deprive those who are already settled of the means of carrying on and improving their estates, discharging the debts which they have been obliged to contract in settling them, and paying the taxes necessarily imposed upon them for their own defence and the security of the public. This last calamity we have good reason to apprehend will be attended with very fatal and destructive consequences and seems to threaten no less than the utter ruin and desolation of this once flourishing island. We have no hopes of relief but in your power and influence. *Copy. Signatory,* John Gregory. Passed the council, 23 November 1736, Samuel Williams, clerk. Passed the assembly, 23 November 1736, William Needham, speaker. 3 pp.

156. iii. Speech of President Gregory to council and assembly of Jamaica, with the assembly's address and president's answer, 9 November 1736. The president attributed the present evils to the loss of trade, heavy taxes, and the fall in price of the principal commodities. He recommended an application to H.M. for relief. The parties sent against the rebellious negroes had not fully succeeded: the president proposed additional pay to encourage officers in that work. The assembly in their address concurred that application should be made to H.M. *Copy.* 4 pp.

156. iv. President Gregory to Duke of Newcastle, 27 November 1736. I enclose my speech to the assembly upon a prorogation I was obliged to put them under, after which four gentlemen of the council were pleased to offer the board the enclosed reasons signed by themselves. I have faithfully transmitted to you and the Lords of Trade the journals and minutes of the council to the present session. The secretary has not yet made out the rest, and nothing material has happened since the last. If

it appears to you that there has been the least foundation for this treatment I expect no countenance; but if you should think I have been unreasonably dealt with I will not doubt your justice in supporting the injured. *Copy.* 1 p.

156. v. Speech of President Gregory to council and assembly of Jamaica. The president prorogued the assembly to 1 February next. *Copy.* 1 p.

156. vi. Some reasons why the undersigned members of Council do for the present withdraw their attendance from the Board. St. Jago de la Vega, 27 November 1736. (1) The president during his whole administration has acted in matters of the greatest importance not only without but contrary to the advice and consent of the council. (2) The council having been obliged to a tedious attendance of 14 weeks were greatly harrassed in their persons, injured in their fortunes and abused in their stations without any reason that we conceive but to force their assent to some clauses in the Deficiency and Rum Bills which they judged partial and unreasonable. (3) The present session of assembly was called without the advice of the council and without any pressing necessity that we are informed of, unless it was to procure those clauses to be passed in some law before the arrival of a governor. (4) During those sessions of assembly, the council having rejected some bills that did not seem necessary, the president in his speech at the close of the session insinuated that the council were not only wanting in duty to H.M. and this island but regardless of the oaths they had taken in their stations, an imputation to which we shall forbear to give the proper epithet, but which appeared to us so horrid that nothing could have prevailed on us to have given our attendance at this board but that the number of the council (until this session) was so small that we could not withdraw ourselves without a manifest obstruction of the public business. (5) As we have not yet received from the Secretary of State and Lords of Trade any redress for Mr. Gregory's conduct pursuant to our address to H.M. and representation to the Duke and their lordships, we conceive the council may be liable to be insulted on the like occasions by any of their fellow-councillors who may hereafter assume the government. For these and other reasons, we think it inconsistent with our honour, character and integrity to attend this board during the present administration. *Copy. Signatories,* Edward Charlton, Henry Dawkins, William Gordon, Temple Lawes. *Certified,* by Samuel Williams, clerk to the council. 2 pp. [C.O. 137, 22, fos. 98-108d.]

157

March 21.  
Palace Court.

Minutes of Common Council of Georgia. The minute of 2nd inst. being read concerning Mr. Simond; and the Common Council being acquainted that the House of Commons had agreed to the resolution that a sum not exceeding 20,000*l.* be granted towards settling and securing Georgia; and the Common Council having perused the minutes of 4 August last when 3150*l.* sterling was ordered to be made out in sola bills and sent to James Oglethorpe in Georgia as also the minutes of 10 September last when only 1500*l.* in the said bills was ordered to be sent to Mr. Oglethorpe; and it appearing that Mr. Oglethorpe had not received the said bills before he left Georgia and that the said bills were sent for back by reason they could not be issued in Mr. Oglethorpe's absence; resolved, that Mr. Oglethorpe be desired to issue to Francis Moore now in England 1000*l.* sterling in sola bills of 10*l.* each and that the said issue be dated on a day in November last before Mr. Oglethorpe and Francis Moore left Georgia, and that the said bills be sent by the *Peter & James*, Capt. George Dymond, to Mr. Causton as cash for the present supply of the colony; and that the 500*l.* credit which Mr. Simond was desired to give Mr. Causton be countermanded; and that out of the 20,000*l.* voted in Parliament any five of the Common Council be empowered to draw upon the Bank of England from time to time for the payment



of the said 1000*l.* in sola bills now ordered to be sent to Mr. Causton as they shall become payable on their return to England in the same manner as for the payment of the 4000*l.* sola bills already issued in Georgia.

Resolved, that 10*l.* be advanced to Samuel Lacey's wife, her husband to repay the same and charge of her passage to Georgia and her two children's. Resolved, that the sola bills that are paid be cancelled by a punch through the seal in the presence of any one of the Common Council and two of the Trustees. Resolved, that 6*l.* 5*s.* be paid to Mrs. Lawley balance of her late husband's benefaction for her son. Read a petition of Jacob Lopez de Crasto desiring leave to dispose of a moiety of 100 acres of land; referred the same to Mr. Causton to report upon. Resolved, that 10 guineas be paid to Mrs. Mary Cooper for one year's rent of her house in Savannah rented by Mr. Parker the third bailiff. Read a report from the committee of accounts of 23 February 1736/7 that they had read a memorial from Capt. Thomson setting forth various claims for use of the *Two Brothers* amounting to 433*l.* 14*s.* which the committee are of opinion should be paid out of the produce of 266 barrels of rice lately sold which the said ship brought over and that the 200*l.* which had been paid on account of the said sum should be replaced by the said produce; and that an account of presents made by Capt. Dempsey, the agent sent to the governor of St. Augustine, to several persons there being laid before the said committee and amounting to 83*l.* 2*s.*, the committee have no objection to the payment thereof. Resolved, that the Common Council agree to the said report. The accountant reported that he had examined the account of provisions and arms delivered in November last for the use of the colony and had paid 263*l.* in full in discharge of the same. 5 *pp.* [C.O. 5, 690, *pp.* 55-59.]

158

March 21.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations enclosing copy of a paper delivered by M. Maurepas to Lord Waldegrave relating to the captures lately made in America of English and French ships

and containing proposals of several regulations to be made for preventing the like irregularities for the future. H.M.'s pleasure is that you should consider the said paper without loss of time upon the several points contained therein. *Signed.* 1 *p.* *Endorsed,* Recd. 21 March, Read 22 March 1736/7. *Enclosed,*

158. i. It has been explained in a memorandum what the arrangements are in the French Islands according to the provision of art. 3, tit. 1 of the edict of October 1727 concerning foreign commerce to the islands. If Mr. Mathew had observed the same justice with regard to the *Fortune* of Dunkirk and the *Fleurion* of St. Malo, there would have been no occasion of complaint. To prevent this in the future, to remove all subjects of disagreement between the two nations, and to establish legitimate trade, it should be agreed (to establish equality between them):

(1) French vessels trading from island to island may be seized within one league of the English islands and may be condemned if within the proposed law; (2) French vessels returning from the West Indies to Europe shall not be seized nor their navigation hindered under the pretext of being within a league of the English islands; (3) English vessels bound for Europe which fortuitously may be within one league of the French islands shall not be seized by the French under this pretext; (4) ships from New England and the English islands may be seized within one league and will be condemned when there shall be proof, by the nature of their cargo or other circumstances, of an intent to trade; (5) English warships (acting as coastguards in the West Indies) are in the habit of anchoring in the chief ports of the French islands and making long stays. They have hitherto been received with ease and courtesy. Most of the commanders of these vessels have responded with equal

courtesy and there has been no cause to complain of those who have been to the Windward Islands. But those who have been to the coast of St. Domingue have sought anchorage in suspicious places where there are few or no inhabitants and no senior officer. The reason for this is that their ships are loaded with negroes and goods which they sell in these remote places to people who, having been previously notified, go there. Several examples could be given, but the English court is not unaware of a similar trick just played by Capt. Bridge. The French court is not yet fully informed of what happened on the third trip to this shore in less than a year by Capt. Bridge with the commander of the King's ship *La Baleine*.

While it may not be established that the captains of English warships visit the coasts of Ste. Domingue only to favour and protect the illicit trade of ships in their company, yet it cannot be doubted, given the choice they make of anchorages under the pretext of need for wood and water. All the ports where there are senior officers, troops, residents and merchants, are open to them and if they had nothing in mind other than their needs they would find them more easily there than in the barely inhabited places they prefer. Until now the King has restrained his officers in the hope that his Britannic Majesty would restrain the commanders of whom complaints have been made. But that having no effect it seems proper in order to avoid disputes: that English warships going to the French Windward Islands or the coast of St. Domingue may anchor for the help they need and for wood and water only in the following ports and harbours, vizt., Martinique: Fort Royal, Bourg St. Pierre and La Trinité; Guadeloupe: Basse-Terre, Petit Cul de Sac and Fort Louis; Grenada: the principal port, as at Marie Galante; St. Domingue: Petit Goave, Leogane, St. Louis, St. Marc, Port de Paix, Cap Francois and Fort Dauphin. Merchant ships alone or in company with warships may not anchor in any other places in the French islands; and will not be arrested there provided they can justify the necessity of their putting in and that neither the cargo nor the destination are for the said French colonies, but may remain no longer than necessary to refit or for other needs, not trading. Those who put in there without need will be seized and confiscated if there is proof, either by the nature of the cargo or other circumstances, that they have put in for trade.

This agreement is necessary for the benefit of trade. It must be followed, or for that matter preceded, by the release of the security given for the *Fortune* of Dunkirk and the restitution of the *Fleuron* of St. Malo and her cargo, together with costs, damages and interest for the owners and shippers. Although the English ship *Scipio*, seized by the royal pinnace and taken to Martinique, was taken in less favourable circumstances, the King (who has not yet received the petition and evidence on which the Directeur des Domaines of Martinique has based his appeal against the order for release of the superior court of the island) might nevertheless confirm this order. *French. Copy. 6½ pp. [C.O. 323, 10, fos. 66-71d.]*

159

John Yeamans to Duke of Newcastle. By letters I have very lately received from Antigua dated 17 January last it appears that all the inhabitants of that island were then as they had been for some months past under arms pursuant to a proclamation of martial law on account of the negro conspiracy discovered in October last and that it was uncertain when the danger arising from thence would cease. I have also received the report of the commissioners appointed by the governor, council and assembly to examine into the said conspiracy and to try and condemn the criminals, which I shall not trouble you with unless I have your commands for so doing, designing to lay it before the Committee of H.M.'s Privy Council to whom my petition



for an augmentation of H.M.'s forces in the Leeward Islands is referred. But I beg leave to lay before you an extract out of the said report paying tribute to Governor Mathew for his conduct during the conspiracy [See No. 20 iii.] From this I submit it to your judgment how necessary Governor Mathew's presence in the said island might be or whether he can at this time be recalled from thence or have leave to come home consistently either with the safety of that island or H.M.'s service till matters are settled and the country is reduced to a state of tranquillity, at least till a new governor arrives to supply his place. Otherwise that government will be left without a proper countenance and authority in this most dangerous and critical posture of affairs. I should rather esteem it my duty with all submission to beseech you that Mr. Mathew may have H.M.'s express orders to remain where he is as well for the reason already offered to you as because his conduct with respect to the French and Spaniards has brought them to pay a juster regard to the English in those parts than they have done for many years past. This will appear to you from what I add at the end of this letter. And if that gentleman should be removed at this juncture, I speak it with all possible deference, it is greatly to be apprehended that foreigners will from hence be encouraged to treat H.M.'s subjects with greater injustice than ever they did before especially should they conceive his removal to be owing to the vigorous measures he has taken against them. I entreat you to put a favourable construction on what I have now given you, by which I have nothing in view but H.M.'s service and the welfare of the Leeward Islands. *Signed.* Extracts from letter of Governor Mathew to John Yeamans, dated Antigua, 17 January 1736/7: My success in breaking the French trade with the English at St. Eustatius, and for which I am burnt and hanged in effigy at St. Christopher's, has produced a flagrant testimony how easy it is for us not only to distress but even to starve the French in Martinique and Guadeloupe. The French King's edict is now waived with them and the extremities they are reduced to have forced them to open their ports to all the northward men with provisions and to the Irish beef men to come directly to them, or I am imposed upon in my intelligence. I am grown so great a man amongst my neighbours that the Marquis de San Felipe, Governor of Caracas, restores a sloop well-laden and taken by his *gard-cote* at my request, sends me a present of a tiger and fine words etc. When the treaty for the *Fleurion* broke off, I sent the French negotiators and her officers to Martinique in a little sloop of theirs, my first seizure by the Act. They sent her very humbly back again.

At the close of the said letter are the following words: I am quite weary and discouraged in my wishes. I have sold my sloop and called in my *gard-cotes* commissions. I have done. God preserve the poor sugar colonies under better intentions than mine. 3 pp. [C.O. 152, 44, fos. 100-101d.]

160

March 21.  
Charleston.

Robert Ellis to Trustees for Georgia. I enclose account of goods delivered for use of the colony and testified by storekeepers. Please pay to Laurence Williams, merchant in London, whom I have empowered to receive the same, the amount being 372*l.* 19*s.* 2½*d.* sterling. Please pay on sight of this. My sloop *Frederica* is gone to Philadelphia for another load of provisions by order of Thomas Causton, and hope will be with me back here in April. PS. 7 April 1737. This day the snow is off the bar of Georgia and hope will get in in a day or two. Accounts will be sent as soon as certified. *Signed.* 1 p. [C.O. 5, 639, fos. 232-233d.]

161

March 23.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 50*l.* paid in by Sir Erasmus Philipps Bart., an executor of Sir John Philipps Bart., deceased, being a legacy to the Trustees for Georgia towards providing for and transporting persecuted Protestants from Salzburch

or other parts of Germany, or such other persons as the Trustees think fit, to Georgia. Received receipt from the bank for 100*l.* paid in at last board by Dr. Hales. Received, same for 1*l.* 1*s.* benefaction of Thomas Richards for general purposes. Received of Thomas Hyam, cuttings of vines and other plants for Georgia. Received, petition of Sarah Watson, wife of Joseph Watson of Georgia, merchant, complaining of Mr. Causton and the Trustees and praying for the discharge of her husband who has been imprisoned above two years past. This petition was referred by H.M. to the Committee of Council and sent by them to the Trustees for answer in writing. Resolved, that an answer be drawn up to be laid before the Committee of Council with all convenient speed. Oath of office as Common Council man was administered to William, Lord Talbot, Robert Eyre, Thomas Archer. 2 *pp.* [C.O. 5, 687, *pp.* 3-4.]

162

March 23.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle. Since our letter to you of 28 October last enclosing extract of letter from Lieut.-Governor Armstrong of Nova Scotia dated 19 June 1736 giving an account of the insolence of French missionary priests in that province, we have received another letter from him dated 23 November last acquainting us that two French priests were sent out of the province by the lieut.-governor and council and that one of them is returned again by order of the French governor of Cape Breton. We send you an extract of Col. Armstrong's said letters and of some papers he enclosed to us. We refer to our former letter and desire you will receive H.M.'s directions upon this occasion that instructions may be sent to Col. Armstrong how to guide himself for the future. This is the more become necessary because Col. Armstrong has refused to permit any French priests to come into the province until he receives H.M.'s commands. *Entry. Signatories, Fitzwalter, M. Bladen, Orlando Bridgeman, R. Plumer.* 1½ *pp.* [C.O. 218, 2, *pp.* 335-336.]

163

March 23.  
Whitehall.

Same to same, enclosing copy of affidavit of one Fisher of Antigua relating to some sloops taken by a Spanish *guardacostas*. *Entry. Signatories, Fitzwalter, M. Bladen, Orlando Bridgeman, R. Plumer.* 1 *p.* [C.O. 153, 16, *fo.* 49.]

164

March 23.  
Georgia Office.

Harman Verelst to Thomas Causton, by *Peter & James*, Capt. George Dymond. Mr. Bradley's contract with the Trustees is to cultivate 100 acres of land within one year with the use of 30 servants belonging to the Trust in consideration of ten servants being allowed him for one year to be employed in cultivating his own lot, and after the expiration of the said year the said ten servants to remain as his servants and 100*l.* sterling to be paid him out of the year's produce of the public lands which he shall cultivate for the use of the Trust. Mr. Bradley is for one year to receive allowances of provisions for himself, family and the ten servants. [*Particulars given.*] As to his cultivating of Trust lands with 30 servants, as that number besides his ten are not yet under his employment a proportion of land must be computed for cultivation and a proportion of his pay out of the produce until he shall have 30 servants to employ for the Trust. What is necessary for the clearing and cultivating the Trust lands and the maintenance of those servants so employed must be furnished for that use but not as Mr. Bradley's property.

Enclosed you receive invoice and bill of lading of what is consigned to you from the Trust as also what is consigned to you for the Salzburghers by the S.P.C.K. and a box shipped by Mrs. Lawley for her son, Richard Lawley, at Frederica. The bill of lading for the Trust contains a pair of cullen stones for a hand cornmill for the Salzburghers;



two cases of arms for the southward, one for Fort Frederica and the other for St. Andrew, each containing 25 new muskets and bayonets; four boxes and a parcel for Mr. Wesley; a box for Mr. Bolzius; parcel for Mr. Hawkins, surgeon at the Altamaha; a bag of Neapolitan chestnuts for sowing in Georgia; box for Thomas Oakes, servant to Mr. Young the wheelwright; one for Richard Hart at Frederica, servant to William Abbott; one for Robert Parker junior; one for John Millidge; one for Mr. Green, shoemaker at Savannah; one for Henry Lloyd; a box of garden seeds; a gift of a scarlet garment with gold lace and fur and ten lbs. of strong gunpowder for Tomo Chachi; materials for a suit for Tooanahowi. In a box directed to you are some of the Trustees' general accounts to 9 June last, those in marble paper are for the principal people at Charleston and those in blue paper for others there and in Georgia who desire them. You will observe in the said accounts what want I am in for the particulars I have written to you for and how every payment you make requires a particular account for what made, which I hope I shall always have for the future by duplicate bills of parcels, accounts and receipts, the one for you to keep and the other to be sent to England. I am in daily expectation of your answers to the queries already sent and explanations of your accounts.

The Trustees have sent you 1000*l.* sterling in sola bills filled up as on 22 November 1736 by Francis Moore to himself and signed by Mr. Oglethorpe; they are therefore now issuable by you as money. The date is made the date before Mr. Oglethorpe left Georgia which makes them appear regularly issued there. With these bills, settle Mr. Bolzius's account for the 50*l.* the S.P.C.K. paid the Trustees for half-year's salaries of the Salzburgh ministers and schoolmaster, and pay John Wesley and Mr. Ingham 50*l.* apiece as missionaries. Use the rest of the bills now sent for supplying provisions at the southward, buying gunpowder for the southward (49 kegs on board are consigned to John Brownfield), supplying provisions to the magistrates and peace-officers in the northern division and to Mr. Bradley's family and the public servants, and supplying provisions to the first and second transports of the Salzburghers on the reduced allowance of 15 bushels of Indian corn and 200 lbs. of meat a head a year and a quart of molasses a head a week, which the Trustees have ordered to be continued to them to September next at that rate without their repaying it, particular benefactions having been received for the Salzburghers. But in their account from Mr. Vat's leaving them to September 1737 whatever their crop at Old Ebenezer amounts to or whatever has been advanced or delivered to them already since their settling at New Ebenezer must be accounted as part of the said reduced allowance to September next. If the new boat for the Salzburghers has not been paid for, the Trustees desire you will pay for it. The Trustees have been informed that you employed some Salzburgh carpenters in building Mr. Gronau's house at Old Ebenezer and have not paid them; if you hired them for that purpose and they are not paid, you are desired to pay them. But the Trustees understood that the English carpenter and 20 negroes were employed in that and other buildings at Old Ebenezer; please let them know if the Salzburgh carpenters were so employed or not. A particular benefactor enables the Trustees to direct you to expend 16*l.* sterling in building the minister's house and a schoolhouse at New Ebenezer and to furnish each man of the third transport of Salzburghers with a cock and hen, whom I think are now 24 men in number, and a sow, turkey hen, and goose to every five men, women and children, which I think are now about 55 heads. The provisions for the third transport for the first year are to be as new settlers, the same as those to Mr. Bradley and family, and the credit of 20*s.* per head which Mr. Oglethorpe ordered them is to be made up to the quantities of tools and necessities furnished new settlers including the iron pots sent them in June last as part; and whatever has been advanced them or they have received

since their arrival must be accounted as part of the said supplies. The Trustees desire you would order the remainder of the Salzburghers' lands at New Ebenezer to be set out as soon as possible.

The Trustees have received the following accounts from you: Mr. Eveleigh's for 417*l.* 19*s.* 8*d.* currency for guns and duffels, and for 6967*l.* 11*s.* 7*d.* currency for provisions and necessaries both certified; Hugh Bryan's for 582*l.* 15*s.* 8*d.* sterling; William Bellinger's for 1738*l.* 11*s.* 3*d.* currency; William Clay's for 1413*l.* 2*s.* currency; David Provoost's for 112*l.* 18*s.* 11*d.* sterling. Send as particular accounts as you can of all other demands in or for the colony to midsummer next.

Passengers by this ship are: John Venables; the ensign to the independent company, his family, eight recruits and the wife of one of them; Elizabeth Brownfield going to her brother; Robert Gilbert returning to his settlement; John Pye to be employed as clerk in the store; two women servants for you which MacBean hired; four menservants for the brickmakers at Frederica; a servant for Mr. Haselfoot. Samuel Lacy is to repay you 10*l.* advanced to his wife and 15*l.* more for her passage and that of his son and daughter by this ship. Mary Cooper has received 10*l.* 10*s.* on account of the rent of her house let to Mr. Parker, remit to her only what you receive more than this. Mrs. Lawley sends a box for her son; if he is dead it must be returned. Mr. Stanley is to repay you 6*l.* 6*s.* advanced to Mrs. Stanley the midwife. You are to enquire into the petition of Jacob Lopes de Crasto [*see* No. 157] and report. Send over account of effects of William Wise deceased.

Capt. Dymond brings over provisions in case you wanted them, which give him a receipt for, specifying the qualities and quantities. Tell Theophilus Hetherington the Trustees expect him to pay the money he owes John Murcott.

The Trustees being alarmed with reports of the Spaniards intending a descent on Georgia, they desire you will be watchful and very careful to avoid the beginning of hostilities and to prevent the Indians from giving offence by their inclinations of falling on the Spaniards or Spanish Indians being in the least pursued, and that you would send to Frederica and the southern settlements to have the same watchfulness and caution. Defence is the business of the inhabitants of Georgia, and I hope a watchful guard and keeping the Indians in a defensive manner only will, with the protection and good providence of God, prevent any design on Georgia being carried into execution. *Entry.* 7 *pp.* [C.O. 5, 667, *fos.* 9-12*d.*]

165

March 24.  
Georgia Office.

Same to Thomas Causton. Last week a petition (copy enclosed) was presented by Mrs. Watson to the King in Council relating to her husband's confinement; to which the Trustees desire your particular answer supported with such evidence as you have that can speak to it, which evidence may be given by affidavits before the recorder. Lose no time in answering this petition and be prudent in the manner of doing it. *Entry.* 4 *p.* [C.O. 5, 667, *fo.* 13*d.*]

166

March 24.  
Georgia Office.

Same to Samuel Eveleigh. I have paid 510*l.* 0*s.* 3*d.* to Mr. Baker on the bill Mr. Oglethorpe sent you in May last for purchasing the guns and duffels. I have lately received two certified accounts belonging to you, one to balance the aforementioned account and the other for provisions and necessaries. I have no reason to apprehend objection will be made to them; they shall be the first account dispatched as soon as the present hurry of business is over. *Entry.* 1 *p.* [C.O. 5, 667, *fos.* 13*d.*, 14.]



167

March 24.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council enclosing draft of commission of review in the case of the dispute between Connecticut and the Mohicans. We propose as commissioners

the governor and councillors of New York (or the governor and councillors of New York for the time being) and the governor and assistants of Rhode Island (or the governor and assistants of Rhode Island for the time being), these colonies not appearing to us in any manner interested in the matters in dispute. We recommend so great a number of commissioners from the greater probability that a quorum may attend and we propose a quorum of five. *Entry. Signatories*, Fitzwalter, T. Pelham, O. Bridgeman, A. Croft. 2 pp. [C.O. 5, 1294, pp. 99-101.]

168

March 24.  
Savannah.

Thomas Causton to Trustees for Georgia. Col. Bull arrived here 9th inst. with Col. Barnwell and favoured us with his company three days. As the continual alarms raised an uneasiness in these (as they

style themselves) gentlemen concerning a proper commander-in-chief, I took this opportunity to ask Col. Bull (if occasion should happen to require) whether he remembered a former promise of his made to Mr. Oglethorpe to head the militia of this place. He told me he was always ready to do what lay in his power to serve the colony and that he came on purpose to see how we did: he was extremely well pleased with the preparations we had made and the account I had given him of the people's vigilance, particularly he says the fort is the best of the kind he ever saw, of which I have enclosed Mr. Jones's draft.

On 11th inst. Mr. Horton sent me per express dated 7th inst. two letters from the governor of St. Augustine to him which I got translated here, copies enclosed; the originals I returned with the translations the next day for him to answer. He further advises that Capt. Ebenezer Wyatt who brought the letters and was going to Charleston under the governor of St. Augustine's pass acquainted him that he had belonged to Charleston 17 years and having sold his vessel to Capt. Dav[is]<sup>1</sup> at St. Augustine was going to his wife and children, that provisions were very scarce at St. Augustine and money much more so, that Don Ignatio the deputy-governor, Don Pedro captain of horse, and Don Philip captain of dragoons were still in confinement, and that no advices have come thither from Havana this three months past, and that they are very much surprised at the payships not being arrived; and further that a friar with about 15 men in company were lately going towards Appalachee and were met ([as is]<sup>1</sup> supposed) by some Indians, that the friar and some of the men and horses were killed and Don Juan D'Castillio is sent out towards Appalachee with a party of men to find out how the murder happened. He desires in same advices that as he might expect more messages on this occasion I would send him an interpreter that he might the better expedite his answers. I accordingly sent him Daniel Nunes. Mr. Horton by his letter dated 11th inst. advises that Capt. Gascoigne intends to write to the governor of St. Augustine to demand three men who ran away from an English vessel some months past.

On 21st inst. I received an express forwarded by Mr. Eveleigh containing the enclosed letters, vizt. duplicate of letter from Henry Weltden dated at Havana 17 January 1737 (N.S.) and duplicate of letter from Anthony Weltden dated at Havana 6 February 1737, both which are the same which came to my hands, also letters from Col. Fenwick and Mr. Samuel Eveleigh as per enclosed copies. I likewise enclose my answers to Col. Fenwick and my letter to Col. Broughton on this occasion. And we are much astonished here at the imprudence of the people of Charleston in discovering the authors of this

<sup>1</sup> Edge of document torn.

intelligence from Havana by reason the man who brought the express left copies of those enclosed letters at Port Royal and many people in this place knew the contents the moment he landed. I immediately forwarded this express to Frederica by one of the boats.

Mr. Spangenberg's people during this alarm being summoned to muster and desired to assist at the fort came to me and told me of their fixed resolutions never to bear arms (being absolutely against their principles in religion) of which they said they had informed you before they came hither. I told them I was willing to believe what they said and that I would take care they should not be compelled to it till your orders came. In a few days after they delivered me the enclosed letter being the same which came to my hands. My answer to this was a repetition of what I had said before and that it would not become a magistrate of this place to approve of any of the inhabitants leaving the colony without the Trustees being first acquainted therewith; but if any tumult should happen or they had anything particular to complain of, as they were entitled to the benefit of the law they might be sure of the magistrates' protection accordingly. Since this they have again discovered a desire of leaving this colony but I have with much difficulty prevailed upon them first to represent their case to you and on this occasion urged to them that as to bearing arms they would be under the like inconveniences elsewhere; and I was very certain that you would not fail performing anything you had promised them. And in this particular they seemed to complain that their grants were in the same general terms with others though they were promised particular privileges and a separate government. I find they have an earnest desire to go to the Indian nations and are afraid shall not be permitted.

I recommend to you William Ewen whom you sent to me as a servant for two years by indenture which expired 26 December last. As I found him a sober and careful lad I ordered him to be in your service in the public store in which I found him diligent and faithful. He obtained of Mr. Oglethorpe a grant of 50 acres of land on Skidaway Island, but as he thinks he is not under that grant consequently entitled to the same allowances of provisions etc. as the first settlers of that place were and being willing to give further demonstrations of his industry has desired me to represent this particular to you hoping it may be granted him. In his two years service he has attended the store at all hours, night and day, Sundays and other days, as occasion required, for which extraordinary trouble he hopes you will make him some allowance. As the year was too far spent to clear any land for him to plant this season he has agreed to continue in your service at 50s. sterling per month.

The people are all in good health both here and at the southward. But meat and butter are still scarce to come at. I believe I shall get no butter and can expect but little meat till the New York vessel arrives which I advised you I expected the beginning of next month. *Signed. 2 pp. [C.O. 5, 639, fo. 229, 229d.] Enclosed,*

168. i. 17 March 1737, Charleston. John Fenwicke to Thomas Causton. The lieut.-governor being out of town, a packet is come to my hands from Providence with two letters to Mr. Oglethorpe. Mr. Eveleigh has undertaken to forward them to Port Royal for you which I send enclosed: a day or two lost may be of ill consequence. There are several affidavits sent from Providence with many circumstances confirming the preparations making by the Spaniards at Havana. The schooner not sailing well is discharged but a sloop is now going out to cruise in her room, which has orders to give the same signals as the schooner to your settlements on the sea-coast and frequently to touch at Frederica and so to return to her cruise towards St. Augustine. If any ready opportunity offers to send to the Creeks it would be of great service to advise our agent there of this news in order that the Creeks may be made



as useful as may be to intercept the land forces which it is believed will march from St. Augustine. *Copy*. 1 p. [C.O. 5, 639, fo. 225.]

168. ii. 6 February 1737, Havana; Anthony Weltden to James Oglethorpe. *Copy*, of No. 92 ii. 2 pp.

168. iii. 17 January 1737 (N.S.), Havana. Henry Weltden to James Oglethorpe. *Copy*, of No. 92 iii. 2 pp. [C.O. 5, 639, fos. 213-216d.]

168. iv. 18 March 1737, Charleston. Samuel Eveleigh to Thomas Causton. Yesterday after dinner arrived a sloop from Providence, Capt. Jennings master, who brought in a large packet to our governor which in his absence Col. Fenwicke opened; and in it were two letters from Anthony and Henry Weltden directed to Mr. Oglethorpe, the former of whom is the principal factor at Havana for the South Sea Company, which letters Col. Fenwicke has enclosed to you. In said packets came several affidavits taken at Providence by Governor Fitzwilliam from prisoners brought thither from Havana who all confirm what is written by said Weltdens and that the *Triumph*, a man-of-war of 24 guns, and the two sloops would be ready to sail by the latter end of February or the beginning of March so that probably they may pay you a visit in a short time. It is here generally believed that a body of Spaniards will march from St. Augustine by land in order to attack your colony for which reason I think it advisable that you immediately send out some Indians to make a discovery towards St. Juan's river and if you find that they are on the march that you immediately send a messenger up to the Creek nation to our agent Mr. Childermas Crofts to whom instructions are sent to join with your agent and get as many traders, packhorse men and Indians as they can and come down upon the back of them. He has orders for this end to spare no pains nor cost and to prosecute this affair with the utmost vigour, but so it happens that the Savannah and other rivers have been of late extremely high so that the express was still at Savannah town about 16 days since; but as those rivers soon fall at this time of the year so hope they may by this time be gone, though there has fallen here a great deal of rain since.

The schooner or galley lately in the employ of this government being found improper for our service, they have got a small fine-sailing sloop, Capt. John Watson commander, who I believe will sail this day. He is to go directly to St. Augustine and if he sees any vessels he is then to go to Frederica and make the signals formerly appointed, from thence to Tybee, Port Royal and here. But if he sees nothing, he is to sail between Frederica and St. Augustine for a fortnight or three weeks. It is my opinion that (if you have certain accounts of the enemy's coming) you not only send up to the Creeks but up to the Uchis<sup>1</sup> and Savannah town to bring down what Indians and white people can be spared from thence and that they be joined with as many of your people as you can conveniently spare and attack the Spaniards in the woods and take the advantage of swamps and thickets, for it is observable that the Indians fight best when headed by the white people.

I shall send copies of the Weltden letters to Mr. Oglethorpe; the originals from Providence, though but duplicates, are for you. I must remark that Jack Savy is arrived to a greater pitch of honour than ever he was before or ever will again; and if he is to have the chief conduct of this engagement I think you need not be under any great apprehensions of the consequence, for though he is a man well stocked with impudence yet it is reported that he is one of very little courage or conduct, and it is here admired how he came to have admittance to the Queen Dowager or to Don Patino. I have met with a great deal of trouble in getting you a canoe and to carry

<sup>1</sup> MS. 'Euchees'.

you the advice, and at last was forced to let two of my own negroes go, otherwise should have been disappointed. *Copy.* 1 p. [C.O. 5, 639, fo. 227.]

168. v. 26 February 1737, St. Augustine. Governor of St. Augustine to [William Horton]. Mr. Calvy desires to know whether Don Carlos Dempsey left to your care the several charges that he had with him from me. I likewise desire to know how he does, and that by the first opportunity you would send me three or four carts and horses to St. John's where the officer will have order to receive them and pay. If possible please send me two barrels of red French wine and 1500 or 2000 boards between 1 inch and 2 and 3 inches thick. *Translation.*  $\frac{1}{2}$  p.

168. vi. 8 March 1737, St. Augustine. Same to [same]. I wondered to see English vessels cruising upon our coasts after articles of friendship agreed on and concluded between your province and our's by Mr. Oglethorpe and myself. I should be glad to know if there has been anything done in this province or in any of the coasts to occasion this alteration, for I know of none here but to desire a good correspondence. *Translation.*  $\frac{1}{2}$  p. [C.O. 5, 639, fo. 220.]

168. vii. 21 February 1737, Savannah. Moravian settlers in Georgia to Thomas Causton. Mr. Spangenberg while here was very sensible of your kindness, as are we. This gives us assurance to mention the following particulars, why we came to this country and why we do not go to war. As to the first we were asked in London whether we were not papists. We answered we were not, as might plainly appear from the persecutions we had met with from the papists even to bonds and imprisonments and that some of us they had obliged to seal their faith with their blood. When we were further asked why we desired to go into Georgia we answered because we were informed that liberty of conscience, which we had long wished and sought for, was there allowed to all Protestants. And when we first mentioned our going to Mr. Oglethorpe we told him it was our principle not to bear arms; with this he said he was content. Otherwise we should not have thought of pursuing our design any further. It is our principle likewise to be chargeable to no man, to eat our own bread (as we have done in this place until now), and to live peaceably with all men as we have always endeavoured to do, having never willingly wronged or offended any. As to the second, when we were lately asked why we do not bear arms you may please to remember we gave two answers: 1. That we were not freeholders. 2. That it being a thing against our conscience, we cannot, dare not, will not do it. Indeed as we do not apprehend this to be the first or the chief point of Christianity we do not strive to bring over others to our persuasion but leave every man to his own opinion, and this is the liberty we desire for ourselves. But if this cannot be allowed us, if our remaining here be burdensome to the people as we already perceive it begins to be, we are willing by the approbation of the magistrate to remove from this place. By this means any tumult that might ensue on our account will be avoided and occasion of offence cut off from those who now reproach us that they are obliged to fight for us. *Signed,* The Germans. 2 pp. [C.O. 5, 639, fos. 195-196d.]

169

March 24.  
Charleston.

Lieut.-Governor Thomas Broughton to Duke of Newcastle. The governor of the Bahamas having transmitted to me the several enclosed letters and affidavits I thought it my duty to send them by the first opportunity to you apprehending the advices they contain to be of great importance to H.M.'s service and the safety of his dominions in America. The governor in his letter to me which accompanied the said papers complains heavily of me, accusing



me that I refuse one Capt. Petty's shipping a few barrels of flour for him which he terms very ill treatment. But was it fact that I had made such a refusal, I think I might have been justified for so doing, an Act of this province being passed on occasion of the Spaniards' preparations at Havana which strictly prohibits the exportation of all sorts of provisions out of this province to any parts, Georgia excepted; besides, the alarm of the Spaniards' intended descent has made all kind of provisions excessively dear and scarce and we have not any flour here but what is brought us from the British northern colonies. However, I can assure you that no application was made to me by any person whatever for any flour and consequently could give no refusal.

Mr. Fitzwilliam likewise complains of my refusing some time ago to lend him 100 smallarms for five or six months. As soon as I received his letter I ordered the armourer to give me an account of what smallarms he had in his custody, which account was laid before and perused by the council who were of opinion there was not a number sufficient for the service of this province and that it would not be prudent to part with any of them, especially at that time when we had been obliged to spare a considerable number to distant new settlers and had good grounds to apprehend a rupture with the Cherokee Indians who are a numerous people. I enclose a packet from him; as I presume he may have hinted something of this in his letter to you, I hope you will give some attention to what I have here said in my justification and doubt not but you will be of opinion that to leave this province bare of arms in the then circumstances in order to assist any other of H.M.'s colonies who did not labour under the same difficulties would have been a breach of my duty and a betraying the trust reposed in me. *Signed.* 3 small pp. *Endorsed, Recd. 7 June. Enclosed,*

169. i. Havana, 17 January 1737 (N.S.); Henry Weltden to James Oglethorpe. *Copy, of No. 92 iii. 1½ small pp.*

169. ii. Havana, 6 February 1737 (N.S.); Anthony Weltden to James Oglethorpe. *Copy, of No. 92 ii. 1½ small pp.*

169. iii. Affidavit of Thomas Lynch. *Copy, of No. 92 iv. 1 p.*

169. iv. Affidavit of John Darkins. *Copy, of No. 92 v. 1¼ pp.*

169. v. Affidavit of Jacob Phenix. *Copy, of No. 92 vi. 1 p.*

169. vi. Affidavit of James Wilson. *Copy, of No. 92 vii. 1 p.*

169. vii. Affidavit of John Salter. *Copy, of No. 92 viii. 1 p.*

169. viii. Havana, 6 February 1737 (N.S.); Anthony Weltden to Governor Richard Fitzwilliam. *Copy, of No. 92 i. 1½ small pp. [C.O. 5, 388, fos. 147-158d.]*

## 170

March 25.  
Bermuda.

Lieut.-Governor John Pitt to Duke of Newcastle transmitting papers mentioned in No. 171. Finding myself very much decayed I took the liberty of writing to you 6th November last desiring you to intercede with H.M. for leave to return home. I now entreat you to procure the same. *Signed.* 1 p. [C.O. 37, 29, fo. 73.]

## 171

March 25.  
Bermuda.

Same to Charles Delafaye transmitting journals of assembly with two Acts, vizt. for attaching the goods of persons not residing upon these islands, and for renewing an Act for the better regulating slaves; which I desire you will lay before the Duke of Newcastle. I wrote to him 6th November and 5th January last desiring him to intercede for my leave to return home, which request I hope is granted; if not, I desire you will speak to him for me. *Signed.* 1 small p. *Endorsed, Recd. 10 May. [C.O. 37, 29, fos. 71-72d.]*

172

March 25.  
Bermuda.

Same to Council of Trade and Plantations, transmitting lists of ships cleared and entered in Naval office from 28 December 1729 to 25 March 1737; journals of council and assembly; treasurer's accounts; an Act for renewing an Act for the further and better regulating negroes and other slaves and for the more effectual and speedy way of prosecuting them in criminal causes, and an Act for attaching the goods of any persons not residing upon these islands; as also the powder money accounts. I have nothing extraordinary to acquaint you with in relation to the island, nothing having yet been fixed upon for the encouragement of the inhabitants either to make or grow to engage our neighbours to trade with us and to make returns in some beneficial commodity to our mother country, although I have frequently pressed the council and assembly; but as yet can find no effect of all my persuasions, only from time to time they desire to consider of it. Finding myself very much decayed, I wrote to you 6th November last *via* Virginia desiring you to join the Duke of Newcastle in interceding with H.M. for leave to return home. *Signed*. 1 *p*. *Endorsed*, Recd. 7 May, Read 10 May 1737. *Enclosed*,

172. i. Account of powder money, 1732-35. Receipts, 155*l*. 4*s*. 2*d*. Signed, 23 August 1735, Richard Tucker. Same account for September-November 1735. Receipts, 4*l*. 6*s*. Audited, 22 June 1736, Nathaniel Butterfield, Leonard White, Robert Dinwiddie. *Certified*, by John Pitt. *Seal*. 32 *pp*.

172. ii. Account of duty on liquor, 1734-35. Receipts, 455*l*. 10*s*. 3*d*. Signed, 13 November 1735, Nathaniel Butterfield. Audited, 13 November, 1735, Francis Jones, John Butterfield, Robert Dinwiddie. Passed the council, 13 November 1735, John Pitt, Andrew Auchinleck, Francis Jones, John Butterfield, Leonard White, Robert Dinwiddie. *Certified*, by John Pitt. *Seal*. 8 *pp*.

172. iii. Account of powder money, 1735-36. Receipts, 18*l*. 8*s*. Signed, 21 June 1736, George Tucker, secretary. Audited, 22 June 1736, as No. i. Passed the council, 22 June 1736, as No. ii. *Certified*, by John Pitt. *Seal*. 6 *pp*. *Endorsed*, Recd. 7 May 1737. [C.O. 37, 12, *fos*. 203-231*d*.]

173

March 25.  
Bermuda.

Same to Alured Popple. Besides the papers sent to Council of Trade and Plantations, I would have sent the accounts of receipts and payments of public money; but Richard Tucker, the deputy-secretary, dying has occasioned the delay. I hope my letters to you of 6 November and 5 January are arrived and that you have put their lordships in mind for my leave to return home. *Signed*. 1 *p*. *Endorsed*, Recd. 7 May, Read 10 May 1737. [C.O. 37, 12, *fos*. 232, 232*d*, 235, 235*d*.]

174

March 25.  
Whitehall.

Alured Popple to Attorney-General Dudley Ryder. The Council of Trade and Plantations desire you will reconsider the blank left in the draft commission of review in the dispute between Connecticut and the Mohicans to be filled up with the name of that person without whom no meeting can be held. They think making any one person essentially necessary will retard the good effects of the commission. Your opinion is also desired whether it is necessary that the governor and councillors be named or whether the words 'Governor and Councillors of Rhode Island for the time being' after the governor and councillors of New York are named will give them the same power as if particularly named. *Entry*. 2 *pp*. [C.O. 5, 1294, *pp*. 101-103.]

175

March 25.  
Amboy.

President John Hamilton to Alured Popple acknowledging letter of 22 October last. I desired the gentlemen my lords commissioners recommended to H.M. for councillors in this province to take the proper methods to get their warrants, which they would sooner have done but this was the first



certain account they had of being recommended. You will see by my letter to my lords of 22 November last and minutes of council transmitted at the same time the steps Mr. Morris took to disturb the peace of this government; and though he lives in the government of New York he still continues to do so as far as in him lies by privately fixing up proclamations for adjourning the assembly, one of which is enclosed. But as he is universally disliked by all sorts of people here his endeavours prove vain and we are at perfect quiet. I send the case stated betwixt Mr. Morris and myself to lay before their lordships who, I hope, will believe I have done the utmost to discharge my duty. *Signed.* 2 small pp. *Endorsed*, Recd. 7 June, Read 22 June 1737. *Enclosed*,

175. i. Reasons why Mr. Hamilton is rightfully entitled to the government of New Jersey notwithstanding the claim of Mr. Morris. The substance of Mr. Hamilton's case is that Mr. Morris had disqualified himself as a councillor of New Jersey by absence without leave from the governor from October 1734 to October 1736 and at the time of Governor Cosby's death on 10 March 1735/6 and President Anderson's death on 28 March 1736 Mr. Morris was in England. 3 pp.

175. ii. Hackensack, Bergen county, 8 February 1736/7. Proclamation by President Lewis Morris adjourning the assembly of New Jersey to 26 April 1737. *Signed. Seal.* 1 p. [C.O. 5, 973, fos. 101-105d.]

176  
March 25.  
Amboy. Same to Duke of Newcastle. [*In substance the same complaints against Lewis Morris as in No. 175.*] *Signed.* 2 small pp. *Endorsed*, Recd. 4 June. *Enclosed*,

176. i. Copy of No. 175 i. [C.O. 5, 983, fos. 79-82d.]

177  
March 25.  
Inverness. John Hossack to Harman Verelst. Yours of 26th past was delivered me by Archibald MacBean: he hopes to recruit servants successfully for the colony of Georgia. Gratitude has engaged all this country to express their regard to Mr. Oglethorpe for the noted favours he was pleased to do their friends. I will afford the necessary credit to MacBean. *Signed.* 1 p. [C.O. 5, 639, fos. 124-125d.]

178  
March 26.  
Inverness. [? Archibald MacBean] to Harman Verelst. I have begun to recruit servants for the Trustees. It is necessary you should make remittances to Provost Hossack for the money requisite for that purpose. *Unsigned.* ½ p. [C.O. 5, 639, fos. 127-128d.]

179  
March 26.  
Inverness. Archibald MacBean to James Oglethorpe. I have written to Mr. Farrell and Mr. Thomson of my success in the Trustees' affairs: I meet with all imaginable encouragement from Provost Hossack in levying servants. 1 p. [C.O. 5, 639, fos. 130-131d.]

180  
March 26.  
Bristol. William Jefferis to Messrs. Samuel and William Baker. On 14 February an express from South Carolina reached Cape Fear to the effect that 14 sail of men-of-war were designed from Havana against Georgia. An embargo was laid on shipping at North and South Carolina. Requests were sent to Virginia etc. for men-of-war to join those at Carolina. *Copy.* 1 p. [C.O. 5, 639, fo. 122; another copy in C.O. 5, 654, fos. 99-100d, endorsed, Recd. from Trustees for Georgia, 4 April.]

**181** Alured Popple to Sir William Yonge, Secretary at War, enclosing for  
 March 26. information an extract of a letter from President Gregory of Jamaica  
 Whitehall. dated 10 December 1736 relating to the state of the independent  
 companies there. *Entry.* 1 p. [C.O. 138, 18, p. 101.]

**182** Declaration by John, Thomas (by power of attorney to John and  
 March 28. Richard) and Richard Penn that the royal approbation of George  
 Thomas as deputy governor of Pennsylvania and the three Lower Counties shall not in  
 any way diminish the right claimed by the Crown to those counties. *Signed,* John Penn,  
 Richard Penn. *Seals. Witnessed,* Ferdinand John Paris, John Drake.  $\frac{1}{2}$  p. *Endorsed,* Recd.,  
 Read 5 April 1737. [C.O. 5, 1268, fos. 274, 274d, 277, 277d.]

**183** Eleazar Allen to Council of Trade and Plantations. As receiver-general  
 March 29. of H.M.'s quitrents for this province, I think it my duty to lay before  
 Cape Fear River. you an account of the many difficulties and obstructions I have met  
 with in my collection, from which I am but lately returned, more especially from the  
 inhabitants of Albemarle County, the most numerous in the province and from whom  
 the largest sums are due. You are no doubt perfectly acquainted with the tenures under  
 which the people of that county hold their lands and the indulgence given them by the  
 governor in council by rating their paper currency at no more than at seven for one  
 sterling (for want of gold and silver), and allowing their arrears of quitrents to be paid  
 at that rate although it was notorious that a much larger proportion of paper would  
 not purchase the sterling either in specie or in any of the saleable commodities of the  
 country. And indeed the people seemed so sensible of this favour that in my last year's  
 collections, which were for the whole arrears due since H.M.'s purchase, I found very  
 little opposition but from some few who had been too deeply concerned in former  
 irregularities not to hope that they would be overlooked among other confusions of  
 their own raising. It was then my good fortune to procure a considerable rent roll and  
 receive as large a sum of money as could be expected considering the situation of affairs  
 at that time.

From whence I thought I might reasonably conclude a proportionable success in the  
 annual receipt. Instead of which I have met with the greatest opposition under various  
 pretences: first, that the quitrents are sought to be payable at their several and respective  
 dwellings in the commodities of the country; secondly, that the taking seven for one  
 sterling is illegal and expressly contrary to a law passed 27 November 1729, entitled an  
 Act for making and emitting the sum of 40,000*l.*, in which law the assembly pretend to  
 settle the value of the paper currency by adjusting it every 20*s.* paper to be equal to  
 15 dwt. of silver as current in Virginia, which is in proportion as four to one, and from  
 thence deduce the exchange of five for one sterling at which rate they insist the quit-  
 rents ought to be paid, although it is known throughout the province that 20*s.* sterling  
 is worth 10*l.* in the paper currency, and so I have seen it sold at the place of the receipt  
 of the quitrents in Bertie Precinct in Albemarle County; thirdly, that the quitrents  
 throughout the province are payable in proclamation money by an instruction to the  
 governor relating to the remission of the arrears of quitrents, to which I beg leave to  
 refer you. From whence they would conclude that the quitrents of Albemarle County,  
 which by their grand deed in 1668 are payable at 2*s.* sterling per 100 acres, should now  
 be reduced to 2*s.* proclamation, and that too payable in paper money at such rates as  
 they shall please to affix – an absurdity too glaring to require any answer.



I shall not presume to make any further animadversions on these points but leave them to your consideration. Only thus much I would observe: that the bulk of the people are well inclined, but their understandings are imposed upon by a few designing men of which Mr. Moseley, a member of the council (and who for these two years has refused to pay his quitrents) is I apprehend the chief. This gentleman has been deeply concerned in the disposal of the blank patents so detrimental to the revenue of the Crown which are now under your consideration; and I hope I shall not be accused of doing any injustice to his character if I say that all the difficulties and obstructions which have attended the several collections of the quitrents, especially the last, are entirely owing to that gentleman and his friends who leave no stone unturned to perplex the government and render the quitrents of as little service to the Crown as possible. You will pardon me if I enlarge and mention one instance of this gentleman's conduct (among others of the late Lords Proprietors' officers) while he was their surveyor-general and one of their council. It was usual with them, when the blank patents began to grow too numerous to be disposed of in Bath County at the exorbitant rates they were originally sold at, to endeavour to find out a new market and lower the prices. To this intent they offered them to several persons in Albemarle County, who already held lands from the Lords Proprietors by grants at 2*s.* sterling per 100 acres, for a smaller consideration (though sufficient to render them considerable gainers thereby). Some were so weak as to purchase them for the sake of an easier quitrent, and who have refused to pay at any other rate than by their last patents. Many of these I have met with in the course of my collection, and some of Mr. Moseley's disposal. These were among those called purchased patents purchased by connivance of the officers then in trust from the Lords Proprietors by them and them only at 20*l.* per 1000 acres paper currency, and received in payment of their several and respective salaries as they became due. So that by this management, their lordships (and consequently the Crown) have made an exchange of an annual revenue of 15*s.* sterling for ever out of every 1000 acres so disposed of for the trifling consideration of about 3*l.* 10*s.* sterling paid to their officers and accounted for as they thought proper.

The enclosed paper is what I took from the public place of receipt in Bertie Precinct, signed by three of the then members of the assembly, which I conceive will sufficiently demonstrate the terms they would pay their quitrents at. The contagion is too far spread for me to remedy it by exerting myself in my office. I therefore submit to your judgment whether H.M.'s quitrents should not be paid at certain places throughout the province and (for want of silver or gold) in the paper currency at such a rate as will equal the sterling value. *Signed.* 4 *pp.* *Endorsed,* Recd. 10 August, Read 7 September 1737. *Enclosed,*

183. i. Declaration of Benjamin Hill, John Dawson and James Pastellaw, representatives of Bertie Precinct; 11 February 1736/7. Being summoned this day at the court-house to pay H.M.'s rents due by us for lands held in this precinct, and lest any unadvised people should misconstrue our words or actions as though we were unwilling to pay what rents we justly owe H.M., to remove such an objection if any should be made, we in a public manner declare that we always were and are ready to pay what rents we justly owe according to the covenant and agreement made between the late Lords Proprietors and the inhabitants of the County of Albemarle according to the tenour of our patents, the laws of this colony, and the constant practice of near 70 years standing, which always was, and as we conceive ought to be, paid and received in the commodities of the country at our respective houses. We are also well satisfied that the opinion of the late assembly was that all other demands whatsoever were illegal. *Signed.* 1 small *p.* [C.O. 5, 295, *fos.* 92-95*d.*]

184

March 29.  
Rose, S. Carolina.

Captain Charles Windham to [Benjamin Martyn<sup>1</sup>]. I greatly esteem the Trustees for Georgia taking notice of any small service I may be of to that colony and assure them as I take it to be my duty to protect any of the King's subjects when I have opportunity I shall be particularly mindful to assist Georgia; and as reports confirming one another come of the Spaniards' designs I have sent to desire Capt. Norris to come to this port and also orders to Capt. Compton at Virginia to make all the dispatch possible to join me. I sail in 48 hours and intend to go with Capt. Symonds who is now with me either into where Capt. Gascoigne lies or as near as we can safely lie to it. I believe Capt. Compton will be here in a week where orders will be left to direct him to join me off Georgia. *Signed.* 2 small pp. [C.O. 5, 639, fo. 235, 235d.]

185

March 29.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing the following. *Signed,* Fitzwalter, T. Pelham, Arthur Croft, M. Bladen, R. Plumer. 2 pp. *Enclosed,*

185. i. Address of Assembly of Antigua to Governor Mathew, 1 February 1736/7, approving his conduct in passing an Act to prevent trade between British and French in Montserrat. Can a British spirit see the flagrant and repeated depredations that are committed by the French on the subjects of our gracious Sovereign, and not be fired with the same just resentment that inspired your breast and induced you to act as you have done in order to support the honour of your master and to get justice done to his subjects? Can the same spirit endure to see the French violating treaties and setting up edicts of their King in opposition to what was before sacredly stipulated with the crown of Great Britain? Can anyone who wishes well to our King and country endure to see the French supplied by those of our own nation with materials that must aggrandize them and ruin the British sugar-colonies? No, sir; these are indignities and mischiefs that require resentment and redress. *Copy.* *Signatory,* Thomas Kerby, Speaker. 2½ pp.

185. ii. Address of Council of Antigua to the same, 5 February 1736/7. [*To same effect as preceding.*] *Copy.* *Signatories,* Edward Byam, Vallentine Morris, Nathaniel Crump, John Vernon, Josiah Martin, Charles Dunbar. 3 pp.

185. iii. Extract of letter from President Gregory of Jamaica to Council of Trade and Plantations; Jamaica, 28 December 1736. Governor Mathew has lately seized some French vessels on pretence of their being within a certain distance of his coasts, prohibited by some treaty. The French have made reprisals, particularly on a Guinea-man bound for Jamaica, consigned to Messrs. Hume and Hamilton; and very lately a French man-of-war attacked two ships homeward bound from this island as they were watering in Donna Maria Bay. These two ships were saved by Capt. Bridge of H.M.S. *Antelope*. I am informed Commodore Dent intends to sail in a few days to demand satisfaction for this insult: I shall write by him to the French governor. I hope some speedy stop may be put to this affair, which otherwise may not only prove fatal to the trade in these parts but likewise may in its consequences affect all Europe. *Copy.* 1½ pp.

185. iv. Extract of Governor Mathew's letter to Council of Trade and Plantations, 5 February 1736/7, reporting increases in the number of French on St. Lucia, Dominica and St. Vincent. *Copy,* of part of No. 55. ½ p. [C.O. 152, 40, fos. 289-299d; entry of covering letter in C.O. 153, 16, fos. 49d, 50.]

<sup>1</sup> See No. 14.



186

March 30.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing copies of a letter and papers relating to Spanish designs against H.M.'s colonies received from Lieut.-Governor Broughton. *Signed*, Fitzwalter, Orlando Bridgeman, Arthur Croft, R. Plumer.  $\frac{1}{2}$  p. *Enclosed*,

186. i. Copy of No. 57 i, above.

186. ii. Copy of No. 57 ii, above. [C.O. 5, 384, *fols.* 2-8*d*; entry of covering letter in C.O. 5, 401, p. 208.]

187

March 30.  
Palace Court.

Minutes of Common Council of Georgia. Referred to committee of accounts the following: account of guns and duffels bought by Samuel Eveleigh the balance whereof is 56*l.* 9*s.* 8*d.*; account of provisions and necessities bought by the same the balance whereof is 94*l.* 11*s.* 3*d.* Ordered, that the skins be sold at 2*s.* 9*d.* per lb. weight. Resolved, that the person who recovered and brought to the Trustees a survey of the coast of Georgia taken at their expense but had been secreted from them have 5 guineas for his trouble. Read, a letter from Daniel M'Lachlan containing a plan for carrying over a considerable number of Highlanders to Georgia. Resolved, that the same be postponed for further consideration. Read, a proposal from Mr. Zouberbuhler for carrying over 50 families not exceeding 150 persons from Switzerland to Georgia; referred the same to committee of correspondence. Resolved, that 25*l.* be paid to Rev. Charles Wesley for officiating as missionary in Georgia. Resolved, that the Attorney-General be retained on Mrs. Watson's petition. Resolved, that upon all occasions where the Trust may be engaged in law affairs the Attorney- and Solicitor-General be retained. Resolved, that S. Hurst be employed as a clerk to the storekeeper in Georgia upon the same terms as John Pye. 2 pp. [C.O. 5, 690, pp. 60-61.]

188

March 30.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 300*l.* paid in by the accountant being so much received by him for rice sold for the Trust, which with a note for 200*l.* payable by William Sands 29 April next and 333*l.* 14*s.* received by the accountant before and 24*l.* 12*s.* 6*d.* received more, makes 858*l.* 6*s.* 6*d.* for 1127 cwt. 10 lbs. of rice at 15*s.* per cwt. in 257 barrels sold to John Duffield and 16 cwt. 1 qr. 3 lbs. of rice at 16*s.* per cwt. in four barrels to John Woodbridge, the remaining five barrels of rice imported from the *Two Brothers* being emptied by dirt in garbling and by damage. Received, receipt from the bank for 50*l.* the benefaction of a gentlewoman by the hands of Mr. Whitefield for the religious uses of Georgia. Received, the same for 10*l.* the benefaction of the Bishop of Gloucester by the hands of Mr. Whitefield for the same uses.

Sir William Des Bouverie, Bart., deceased, having left 500*l.* for the redemption of captives taken by pirates of Barbary, and Sir Edward Des Bouverie, Bart., deceased, having left a further 500*l.* for the same purpose, and it appearing that there are no slaves in Barbary, Sir Jacob Des Bouverie, Bart. has given these several sums to the Trustees for providing foreign and other servants for the benefit of Georgia. The receipt for 1000*l.* was sealed, secretary to countersign it, and the thanks of the Trustees given to Sir Jacob Des Bouverie. 3 pp. [C.O. 5, 687, pp. 5-7.]

189

[March 30.<sup>1</sup>]

Lachlan M'Lachlan and Donald Cameron to Trustees for Georgia. We, in the name and by the direction of several considerable families in the highlands of Scotland who by the good encouragement their countrymen meet with in Georgia are inclinable to be of the number, beg the board will consider and answer in writing what encouragement each particular rank of men may depend upon;

<sup>1</sup> *Georgia Records*, ii, 187.

for nothing less will satisfy them. They are not only considerable but pretty numerous that are entered into an association to go if they like the proposals. *Signed*. 1 small p. [C.O. 5, 639, *fos.* 133, 133*d.*]

190

March 30.

Attorney-General to Council of Trade and Plantations. Mr. Popple's letter of 25th inst. sets forth that you found in the draft commission of review in the dispute between Connecticut and the Mohicans I had left a blank to be filled up (as in the old commission) with the name of that person without whom no quorum can be held, and that as you propose the governor and council of New York and governor and council of Rhode Island to be the present commissioners the making one person essential may retard the good effects of the commission. I am therefore directed to reconsider the matter. Mr. Popple also sets forth that as the governor and councillors of Rhode Island are annually elected my opinion is desired whether they should be named in the commission.

I agree that it will be more convenient not to make the presence of any one person necessary to constitute a quorum. I am of opinion that it is not necessary for the governor and councillors to be named. But as the governor and councillors of New York are certain it is advisable they should be named: those of Rhode Island for the time being will be entitled to the same powers as if they were named. *Signed*, D. Ryder. 2 pp. *Endorsed*, Recd. 30 March, Read 31 March 1737. *Enclosed*,

190. i. Commission to George Clarke, lieut.-governor of New York, and Francis Harrison, Cadwallader Colden, Abraham Vanhorn, Philip Livingston, Archibald Kennedy, James De Lancey, Philip Courtland, Henry Lane, Daniel Horsmanden, councillors of New York, and to the governor and council of the said province for the time being; and to the governor and assistants of Rhode Island for the time being; to examine, review, finally decide and determine the dispute between Connecticut and the Mohicans. *Draft*. 7½ pp. [C.O. 5, 1268, *fos.* 260-269*d.*]

191

March 31.  
Savannah.

John Wesley to Trustees for Georgia. Robert Hows, a freeholder of this place, has officiated here as parish-clerk not only ever since I came but, as I am informed, for above two years before. He constantly attends both the morning and evening service (a little before sunrise and after sunset) on other days as well as Sundays and is in the whole of his behaviour a sober industrious man. But sickness in his family had reduced him to straitness of circumstances even before 24th inst. on which while he was employed in the public work his house was burnt to the ground and all that was in it (except two saws) consumed. I take the liberty to recommend him to your favour and assistance, as to the manner of which (whether by way of salary or otherwise) you are the proper judges. I recommend you and all your labours to Him in whose steps you tread, the great helper of the friendless. *Signed*. 1 p. [C.O. 5, 639, *fos.* 241-242.]

192

March 31.  
St. James's.

Order of King in Council approving draft of commission prepared by H.M.'s Attorney- and Solicitor-General for settling the boundaries between Massachusetts and New Hampshire; Duke of Newcastle to prepare warrant to pass the same under the great seal. *Copy*, certified by James Vernon. 1 p. *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 5, 879, *fos.* 150, 150*d.*, 153, 153*d.*; warrant in C.O. 324, 37, pp. 43-8; another entry in C.O. 324, 50, pp. 177-182.]



- 193** Order of King in Council, on report from Committee for Plantation Affairs, disallowing an Act passed in Barbados 6 February 1735/6 entitled an Act concerning the surveying of land. *Copy*, certified by James Vernon. 2 pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 28, 24, fos. 211, 211d, 214, 214d.]
- 194** Francis Fane to Council of Trade and Plantations. By an Act passed April 1. in Carolina in the time of the Lords Proprietors relating to biennial and other assemblies and regulating elections and members, I observe that there is a power given to the assembly of this colony to meet without the consent of the Crown. The charter to the Lords Proprietors does not warrant this proceeding. The power of calling of parliaments is admitted to be an inherent privilege in the Crown, and I believe this is the first instance that such an attempt has been made to deprive the Crown of it. I think you should show your disapprobation of a law which in so high a degree encroaches upon the prerogative of the Crown. But I must observe to you, if the facts are true which are stated in the memorial of Mr. Smyth the Chief Justice, I think it cannot be considered as an Act in force, not having received a due confirmation agreeable to the rules settled by the Lords Proprietors themselves. *Signed*. 1¼ pp. *Endorsed*, Recd. 7 April, Read 19 April 1737. [C.O. 5, 365, fos. 202-203d.]
- 195** Minutes of meeting of Trustees for Georgia. Received, receipt from April 1. the bank for 1000*l.* paid in by Sir Jacob Des Bouverie at the last Palace Court. board for providing servants for Georgia. Read, letter from Lieut.-Governor Thomas Broughton of 7 February 1736/7. [See No. 59.] Read, letter from William Jefferis of 26 March 1737. [See No. 180.] Resolved, that copies of the said letters be immediately laid before the Duke of Newcastle and that Lord Tyrconnel, Mr. Oglethorpe, Mr. White and Thomas Archer be desired to deliver the same. Resolved, that the following laws be prepared for Georgia, vizt. for the taking of Indian evidence; for regulating credit and suing for debts; for regulating the watch and the militia; against the use of gold and silver in apparel and furniture in Georgia and for preventing extravagance and luxury; to oblige ships clearing out of the Savannah and Altamaha to pay 1 lb. of pistol powder per ton for port duty. Mr. Holland, Thomas Tower, Mr. Eyre, Henry Archer and any other of the Trustees who will attend to be a committee for preparing the same. 2 pp. [C.O. 5, 687, pp. 8-9; abstract of minute relating to Broughton's letter in C.O. 5, 654, fos. 91-92d.]
- 196** Minutes of Common Council of Georgia. A representation of James April 1. Oglethorpe in favour of Hugh Mackay, setting forth his many services Palace Court. at St. Andrew's and St. George's, being considered; resolved, that the thanks of the Trustees and 100*l.* be given to Mr. Mackay. 3½ pp. [C.O. 5, 690, pp. 62-65.]
- 197** Memorial of George Thomas and others to Council of Trade and April 1. Plantations, concerning the proposals of the Court of France on trade in America. The edict of 1727 was an infraction of the treaty of 1686 and the justice of that edict does not seem to have been made out. We apprehend the French Court desires to prevent all illicit trade, which in our opinion will be beneficial to both nations. The means proposed is that all vessels coming within a league of the shores of the other nation shall be seized with the exception that French and English ships returning to Europe shall not be seized. We apprehend this exception is not extensive enough: ships

bound from Europe and from or to Africa should be included in it. We propose to add 'or three English miles' after the word 'league'; and the substitution of 'sailing' for 'cruising'. The wording of the articles have material differences: they ought to be reciprocal.

The next article proposes the seizure of ships from New England and the English islands in America for coming within a league of French shores, the nature of their loading to be a proof of a design to trade. We submit that intention to trade cannot be discovered from loading, and we propose that proof should be by some overt act proved by credible witnesses; that the overt act should be specified in the libel or information; that all evidence should be in writing and form part of the record; that appeals be allowed to the mother-country on proper security given; and that provision be made for the discharge of ships before trial on proper security given. Care should be taken to prevent masters or crew being imprisoned or fined. We propose that vessels of each nation should give security to the proper customs officers for due delivery of their cargoes and not to carry on illicit trade; and that captains of H.M.'s ships should be given express orders to prevent illicit trade.

As to the articles specifying at which French ports English ships may drop anchor, we think the principal ports of Grenada and Marie Galante should be specified. Uninhabited islands or islands claimed by both English and French should not be included in the convention. Any restrictions concerning St. Domingo would be impracticable because all ships from Jamaica to Europe or North America and those from North America to Jamaica go through the windward passage and sail within a league of that and other islands. If these stipulations are agreed to, we propose that no French ship shall drop anchor except at the following ports: in Barbados, Carlisle Bay and Speights Bay; Antigua, Willoughby Bay and St. John's; Montserrat, Plymouth; Nevis, Charlestown; St. Christopher's, Basse Terre and Old Road; Jamaica, Port Royal, Port Antonio and Bluefields. These regulations may contribute in some degree to prevent illicit trade, but this can never be effectually stopped without preventing trade in ports of other nations, especially St. Eustatius. We therefore propose a law to be made by each nation prohibiting the importation into the colonies of one the products of the colonies of the other. We submit that all vessels taken since 1727 in violation of the treaty of 1686 should be restored by each side. We submit that any convention of this sort should be temporary and that the treaty of 1686 should be expressly continued in force in all articles except those contrary to this convention. *Signed*, George Thomas, J. Spooner, R. Coope, John Yeamans, John Sharpe. PS. We propose that the article by which English ships driven by necessity into the prescribed French ports shall not be seized provided they show sufficient reason for their stopping and that their cargoes do not appear to be for the French colonies should be deleted. We propose that such ships should be under no other restriction than to stay no longer than necessary and to carry on no trade. 5 pp. *Endorsed*, Recd., Read 1 April 1737. [C.O. 152, 22, fols. 337-340d.]

198

April 1.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council.  
We have had under consideration your order of 19 March last and the various papers relating to the present distressed state of Jamaica.

[See No. 156.] As the agent for Jamaica who attended us upon this subject has offered nothing to us in addition to what is contained in these papers, we can only give you our opinion upon the several matters therein mentioned. The first grievance complained of is the rebel negroes, and we are very sensible how much the safety of the island depends upon their reduction. But from the reasons assigned in the president's letter to the Duke



of Newcastle we fear they never will be effectually reduced by H.M.'s troops now there, nor by the parties sent out against them, for want of the barracks proposed to be erected in several parts of the island where some of H.M.'s troops might be posted for the defence of the island and to prevent the negroes belonging to the several plantations from deserting to those in rebellion; and likewise for want of the roads being opened throughout the island. But this work, although it might be expected the necessity and usefulness thereof would have sufficiently recommended it, has hitherto gone on but slowly; and as we conceive that the want of proper implements for opening of roads and building of barracks may in great measure be the reason why this work has been so much retarded, we remind you of our report upon this subject dated 12 June 1735 where these implements and the several sorts of them are particularly specified.

We observe the president has proposed the forming a regiment of 200 negro slaves, that H.M. should purchase their freedom, and that they should be put under a British establishment with regard to pay. By such a regiment the president has expressed some hopes of being able to reduce the rebels. But, although we may be of opinion with the president that negroes inured to the heat of the climate may be better able to bear the fatigues attending any expedition through the woods, yet we can by no means give our opinion in favour of such a proposition, because, should this black regiment be inclined to favour those of their own colour they would prove a party of much more dangerous consequence than those in the mountains. How little confidence may be placed in any negroes and how little they ought to be trusted with arms appears too plainly from the late rebellion in Antigua, where those were chiefly concerned who had the greatest share of trust and confidence from their masters.

The charge that has attended the people of Jamaica for many years past in fitting out and maintaining of parties against the rebel slaves has been very great and burthensome, and we believe their misfortunes may be increased by the restrictions laid upon one and the low price of the other part of their principal commodities in this kingdom, the only mart allowed for the vent of them. While the law passed last year for laying a duty upon the retailers of spirituous liquors and for licensing the retailers thereof subsists, and unless a liberty be given under proper restrictions to the sugar-colonies to export their sugar to foreign markets without touching first in England as proposed in our report of 24 July 1724, we do not see what can be done to relieve the people of Jamaica in these particulars. Annexed hereto is an extract of so much of our said report as relates to the sugar-trade.

We have considered the copy of the president's letter to the Duke of Newcastle relating to the disputes that have happened between him and four of the councillors of Jamaica who have withdrawn themselves from the said council during the administration of Mr. Gregory; and as we cannot look on this conduct of the councillors in withdrawing their assistance from the council and thereby obstructing public affairs but as a mark of their great disregard to the public welfare, we think them not proper persons to be continued councillors in that island, and therefore we should have immediately proposed to H.M. the appointing others in their room but that as we imagine H.M. may soon send a governor to that island we submit it to you whether it may not be more proper to wait till a governor is appointed. *Entry. Signatories, Fitzwalter, M. Bladen, O. Bridgeman, A. Croft, R. Plumer. 5 pp. [C.O. 138, 18, pp. 102-106.]*

199  
April 4.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Ordered, that copy of the resolution appointing a committee for preparing laws for Georgia [see No. 195] be given to Mr. Holland. 1 p. [C.O. 5, 687, p. 10.]

200

April 4.  
Whitehall.

Alured Popple to Charles Carkesse asking for return of draft of instructions usually given to governors of Plantations with the observations of the Commissioners of Customs thereon. *Entry.* 1 p.

[C.O. 324, 12, p. 229.]

201

April 4.  
Whitehall.

Order of Committee of Council for Plantation Affairs referring the following to Council of Trade and Plantations. *Signed,* Temple Stanyan. *Seal.* 1 p. *Endorsed,* Recd. 7 April, Read 21 April 1737.

*Enclosed,*

201. i. Petition of divers of H.M.'s subjects for a tract of land in Nova Scotia and a charter of incorporation. The petitioners are mostly artisans belonging to the building business, every branch of which is now so overstocked that great numbers of all sorts are out of employment several months of the year, amongst them the petitioners. By settling in Nova Scotia they would help to defend the more southerly colonies, secure the fishery, and enlarge the fur trade. They pray for: free passage for themselves and families to Nova Scotia; a royal charter incorporating them by the name of mayor, aldermen, sheriff, recorder, capital and common burgesses; liberty to make their own laws not being inconsistent with those of England; the privilege when the people are numerous of choosing their own representatives; a township of 14 miles square at a rent paid by the corporation to the Crown of 4s. a year, New England money, per 100 acres to begin ten years after each grant. They further propose grants of 200 acres to each member at a rent payable to the corporation of 20s. a year, New England money, to begin after ten years; no grants of more than 200 acres a man and none to persons under 21; voting rights and service as officer or on juries to be confined to those who have occupied 200 acres for at least one year; the surplus of rents payable to the corporation over the rents payable to the Crown to be used for the maintenance of a clergyman of the Church of England and a schoolmaster. The petitioners pray for tools and building materials, and that a proper person be sent over to Nova Scotia to manage the whole affair. *Signed,* Joshua Sacheverell, carpenter in Bedfordbury near Covent Garden, and by 73 other carpenters, 7 smiths, 5 bricklayers and 8 other persons, chiefly of London. 12 pp. *Endorsed,* as covering letter. [C.O. 217, 7, fos. 215-222d.]

202

April 4.  
Whitehall.

Same, referring the enclosed to Council of Trade and Plantations. *Signed,* Temple Stanyan. *Seal.* 1 p. *Endorsed,* Recd., Read 5 April 1737. *Enclosed,*

202. i. Representation of John, Thomas and Richard Penn, sons of William Penn, late proprietor of Pennsylvania, to the King for royal approbation of George Thomas as deputy or lieut.-governor of Pennsylvania and the counties of Newcastle, Kent and Sussex in the room of Patrick Gordon, deceased. *Copy.* 1 p. [C.O. 5, 1268, fos. 270-273d.]

203

April 5.

George Thomas to Council of Trade and Plantations submitting the names of James Douglas of London, merchant, and William Dunbarr of London, merchant, to be sureties for his observation of the Acts of Trade in case he should be thought proper to be deputy governor of Pennsylvania and the three Lower Counties. *Signed.* 1 small p. *Endorsed,* Recd. 5 April, Read 6 April 1737. [C.O. 5, 1268, fos. 275-276d.]



204

April 6.  
London.

Daniel M'Lachlan to James Oglethorpe. To satisfy the Trustees that I have not amused them with any idle scheme I am resolved to settle these 100 men in Georgia who are in a capacity to transport and maintain themselves without being obliged to the Trustees for anything else than land. I beg no favour beyond approbation. I know that when the Trustees are satisfied they will reward me. If they take no notice of this proposal we shall settle in Carolina or some other part of America than Georgia. These people will set out by 1 August and wherever they plant themselves the rest of the clans will follow. *Signed*. 2 pp. [C.O. 5, 639, fos. 198-199.]

205

April 6.  
Whitehall.

Duke of Newcastle to Lieut.-Governor Thomas Broughton. I have received your letter of 6 February enclosing copy of one from Comodore Dent to you with an account of the supposed design of the Spaniards to make a descent upon Georgia. H.M. had before received notice from Mr. Dent of the reasons he had to suspect that an attempt of this nature might be designed and the King ordered the proper directions to be sent immediately to Mr. Keene thereupon; so that H.M. hopes that, even though there should have been foundation for these advices, orders will have been sent from Spain upon the instances that will have been made by Mr. Keene to countermand the execution of it. And H.M. thinks it possible that the governor of St. Augustine may in consequence of the agreement made between him and Mr. Oglethorpe in October last have suspended the execution of any orders he may have received for giving any disturbance to H.M.'s subjects in those parts.

However, as it is right to be upon your guard against all events H.M. very much approves the precautions you have taken for the defence of the province in which you preside and of Georgia. But the King was sorry to find that you had taken any step that might look like an encouragement to the Creek Indians to fall upon the Spaniards which they may possibly interpret as an act of hostility begun on the part of H.M.'s subjects and think thereby to justify any violence they may afterwards commit. As H.M. hopes that nothing will have been attempted by the Spaniards in violation of the peace subsisting between the two nations, the King would have you in that case send immediate directions to the agents you may have employed amongst the Creek Indians and any other nations of the Indians that may be under the influence of the English to use their utmost endeavours to keep everything quiet there; and it is H.M.'s pleasure that an effectual stop be put to any acts of hostility that may have been begun against the Spaniards and that you carefully avoid beginning any hostilities whatever or taking any step or measure that may be interpreted by the Spaniards as an act of hostility begun on the part of H.M.'s subjects. It is however H.M.'s pleasure that you should take all necessary measures for the defence of H.M.'s colonies and subjects and in case any open and manifest attack is made upon any part of H.M.'s dominions in the West Indies you will then do everything in your power in the defence of them and to oppose in the most effectual manner the success of any such attempt. *Draft*. 3½ pp. [C.O. 5, 388, fos. 159-161d; entry in C.O. 324, 37, pp. 49-51.]

206

April 6.  
Whitehall.

Order of Committee of Privy Council for Plantation Affairs referring report on petition of Murray Crymble and James Huey [see *Cal. S.P. Col.*, 1735-36, No. 465] back to Council of Trade and Plantations for further proposals concerning the manner and time of settlement and for consideration of the reservation of mineral rights to the Crown. *Signed*, Temple Stanyan. *Seal*. 1 p. *Endorsed*, Recd. 6 April, Read 7 April 1737. [C.O. 5, 295, fos. 78, 78d, 81, 81d.]

**207** Alured Popple to Francis Fane enclosing three Acts passed in Jamaica  
 April 7. in November 1736 for his opinion in point of law, vizt. Acts to prevent carrying off of soldiers, servants or slaves and for the better regulation of servants; to repeal Act for ease of inhabitants of parish of St. James; for regulating pilots. *Entry.* 1½ pp. [C.O. 138, 18, pp. 107-8.]

**208** Murray Crymble to Council of Trade and Plantations. Being informed  
 [April 7.] that the Committee of Privy Council has referred to their lordships the question of royal mineral rights in the lands designed for Swiss settlement in North Carolina and for consideration of new proposals, he and his associates are ready to submit to a reservation to the Crown of one-fifth part of all gold and silver ore and one-tenth part of the ore of all other mines and minerals. They cannot give any more precise proposals about the manner and time of settlement than those already offered. Even if they could declare themselves more particularly on the times of embarkation it would be to their prejudice to have conditions to that effect in their grant. As proof of their intention to settle the whole of the lands petitioned for, they do not desire to make any benefit until the whole has been surveyed; this will cost about 5000*l.* which they hope will be looked upon as security for completing the settlement. *Signed.* 2 pp. *Endorsed,* Recd., Read 7 April 1737. [C.O. 5, 295, fos. 79-80d.]

**209** Memorandum by [James Oglethorpe] for [Duke of Newcastle]. Your  
 [April<sup>1</sup>] grace desired me to set down what I thought was necessary to be done on the present conjuncture. (1) By the advices you have received it appears that the people of Carolina suspect that the Spaniard's armament at Havana is designed against them and Georgia and that they will be attacked from thence by sea. (2) That it is certain the Spaniards are augmenting their garrison at Augustine with a regular regiment and that by that augmentation the Spaniards will be able to march a body of 500 foot, 50 horse and 2000 Indians and leave 400 men in the garrison, and 200 is sufficient to defend that fort. (3) That they are upon the same continent with Carolina and can march to Charleston by land which the ships cannot prevent. (4) That the French have a body of 2500 regular troops in the Louisian and can march from their advance fort called Albanus in 20 days by land to Charleston. (5) That the people of Charleston have encouraged the Indians to fall in upon the Floridas which are the Spanish subjects and thereby break the agreement by me made with the governor of Augustine and by being aggressors will justify the Spaniards in making reprisals and in all violences which they shall thereupon commit. (6) That both the French and Spaniards cannot fall into Carolina without marching through Georgia.

If the Spaniards should not at present attack, yet as this alarm shows the weakness of Carolina which would be lost if attacked with the forces given out you think it proper to put it into such a condition as not to be in danger upon every sudden attempt; for doing which I think what was proposed by the Board of Trade in 1722 will be the only effectual method, vizt. that H.M. would order them to have regiments there. But as that expense might be thought too great, to the 2nd, 3rd and 4th foregoing articles I propose: (1) That one regiment of 700 men be raised for that service to be posted in such a manner as to be easily drawn together and at the same time to cover the country, that the commissions be immediately granted out. To the 1st foregoing article I propose: (2) that one 20-gun ship be stationed at Charleston, one at Port Royal and one at Frederica in Georgia to assist the sloop, which man-of-war should also be employed in the survey. To the 5th and 6th foregoing articles I propose: (3) That orders be sent to the lieut.-

<sup>1</sup> See following document.



governor of Carolina to reprimand him for inciting the Creek Indians to attack the Spaniards and to forbid him intermeddling either with the Creeks or Cherokees or any other Indians belonging to the province of Georgia. *Endorsed*, Mr. Oglethorpe's Paper, April 1737. 2 pp. [C.O. 5, 654, fos. 101-102d.]

**210** Observations on this paper. [No. 209.] (1) It does not seem probable [April 7.] that the Spaniards will in time of peace or indeed at any time attack Carolina; not by sea, *because no ship bigger than 20 guns can go into their harbour*<sup>1</sup>; not by land, because it is a great way to march and through a desolate country or very near it. If Georgia has encroached upon them, or they think they have, they may endeavour to recover that; but without provocation or without a prospect of gaining anything, it seems very unlikely that the Spaniards should begin a war in those parts. (2) The Spaniards are fortifying themselves at St. Augustine, being perhaps more afraid of us than we are of them, or at least as much; and as for the Indians, it is supposed that as many at least may be had on our side as theirs if that should be found necessary. (3) Being upon the same continent they may it is true march from St. Augustine to Charleston but if they should miscarry how will they get back again 50 or 60 leagues through an enemy's country? (4) It cannot be supposed that the French, when peace is so well established at home, will join the Spaniards and make such long marches through the woods to make war upon the English plantations. However, the stronger our plantations are the safer they will be. (5) The Florida Indians seem to be out of the way of doing any injury to Carolina. Therefore what reason can be given why the Carolina people should encourage any Indians to fall upon Florida? The Indians have often war with one another which perhaps may be sometimes encouraged by Christians for private advantages in trade etc. (6) The French and Spaniards are at a great distance from one another and it is thought do not agree so well together as to join forces but that the Spaniards are rather jealous of the French encroaching upon them and would prevent it if they could.

As to sending regiments to Georgia or Carolina I can give no opinion. There is at present one 20-gun ship at Carolina and a sloop and now one 20-gun ship more fitting for that station, which is more than comes to their share of the 10,000 men allowed by Parliament. There is one 20-gun ship at Virginia, one 20-gun ship at New York and one 20-gun ship at New England, all which are ordered to join if any attack should be made upon Georgia or any other part of the continent. 3 small pp. *Endorsed*, Observations upon Mr. Oglethorpe's paper. Recd. from Sir Charles Wager, 7 April 1737. [C.O. 5, 654, fos. 105-106d.]

**211** Lieut.-Governor George Clarke to Duke of Newcastle. Last fall I  
April 9. received a letter from M. Beauharnais, Governor of Canada, complain-  
New York. ing of the lieutenant posted at Oswego, to which I returned answer  
26 October, hoping that that would give him full satisfaction. I likewise wrote to the lieutenant at Oswego about it. But M. Beauharnais, not having received my letter, wrote to me again 15 November on the same subject. Copies of all these letters are enclosed. M. Beauharnais has shut up all intercourse between us and Oswego so that I have not heard from that officer, but the season of the year now approaching to relieve that garrison I shall upon his return examine into that business.

Upon the notice that I received the beginning of March from the governor of South Carolina that the Spaniards were preparing to make a descent from Havana on that

<sup>1</sup> Underlined in MS.

province and Georgia, I again issued an order, as I did last summer, forbidding the collector to clear any vessel for Augustine and a proclamation prohibiting all H.M.'s subjects to send to or give the Spaniards any succours of any kind. Capt. Norris of H.M.S. *Tartar* stationed here, having applied to me for thirty seamen to enable him to go to Georgia for the defence of that place, I issued an order in council to the mayor to cause that number of seamen to be impressed. The mayor issued his orders to the constables to apprehend all deserters and vagrants, more than that he could not legally do. But that failing of getting the number of men that Capt. Norris asked for, he again applied to me in council; but the council, being of opinion that I could not legally issue any further warrant, would not advise me to do it. I recommended to the captain to beat up for volunteers, but he has not. He complains that the masters of merchant-ships entice the sailors from the King's ships but it is said that the captains themselves encourage their men to go in the winter season in merchantmen because they find their account in it, and the men having higher wages do not think of returning. Our latest accounts from Carolina, which are private letters, give us cause to think that no descent was or is intended and the enclosed examination of a master of a vessel confirms it. *Signed.* 3 small pp. *Endorsed,* Recd. 4 July. *Enclosed,*

211. i. M. Beauharnais, Governor of Canada, to Lieut.-Governor Clarke, Quebec, 20 August 1736, complaining against the English commandant at Oswego (Chouaguen) for firing on a French party in July last, and demanding the punishment of this officer. *French. Copy.* 3 pp.

211. ii. Lieutenant-Governor Clarke to M. Beauharnais, in reply to preceding; New York, 26 October 1736. I will enquire into the incident and take such course with the officer as shall be agreeable to justice. Nor will it derogate from this profession to complain to you of the practices too much used by your people to seduce the Six Nations and to draw them from their allegiance to the Crown of Great Britain. I am persuaded you will discountenance such practices. *Copy.* 1 small p.

211. iii. Lieut.-Governor Clarke to Capt. Congreve; New York, 1 November 1736. I am sorry to hear so many complaints of your conduct at Oswego. I hoped for better things, but am now in fear, if some better care be not taken, that the garrison will all desert or perish for want of provision, of which I am told there is no manner of economy. It behoves you to be very circumspect, and I earnestly recommend you to keep good discipline and to take care of the provision and of the security of the house and garrison. M. Beauharnais complained to me of your commanding a French canoe ashore which was passing by, I assured him I would enquire into it and I hope you will be able to acquit yourself of what he lays to your charge. I desire you will be very vigilant and guard carefully against all surprises of the Indians or others. Capt. Dick will convey this to you, to whom you ought to give an account of your garrison by all opportunities as he is the commanding officer on the frontiers. *Copy.* 1 small p.

211. iv. M. Beauharnais to Lieut.-Governor Clarke; Quebec, 15 November 1736. A corporal and a soldier, deserters from Oswego, have confirmed what I wrote to you. The corporal was one of the party sent to pursue the French canoe; they were ordered to fire if they could not come up with it. *French. Copy.* 1 small p.

211. v. Affidavit of Abraham Kipp of New York, mariner, taken at New York, 5 April 1737. Deponent was at St. Augustine from 24 February last to last Saturday week. Within less than twelve months two companies of soldiers have arrived there from Havana; he believes the total force to be now about 400. The castle commands the town; it has about 20 guns on the seaward side. At the back of the town is a battery of about 6 guns. He heard of no Spanish design to attack Carolina



or Georgia. While he was there a new governor arrived. Deponent saw what he took to be gunpowder and other war-like stores being unloaded. He believes the total number of the inhabitants of St. Augustine to be about 400 men, women and children, exclusive of military. *Witnessed*, Frederick Morris, deputy clerk of council. *Copy*, attested 16 April 1737 by Frederick Morris. 1½ pp. [C.O. 5, 1094, fos. 18-29d.]

## 212

April 9.  
New York.

Same to Council of Trade and Plantations, acknowledging letters of 22 October and 9 December last. The assembly are now sitting, but I cannot as yet make any judgment of what they will do. I enclose my speech, with the council's address and the addresses of some of the counties which in the late times were the most disaffected as a testimony that my endeavours have had some success. I have the misfortune however to suffer extremely under the deficiencies of the revenue, not having yet received one penny from the treasury and being obliged to support the honour and dignity of the government out of my own private fortune and credit. But I assure you that no distresses shall ever make me give up H.M.'s just authority which perhaps may be attacked especially in the point of erecting courts of equity. I have endeavoured previously to their sitting to direct them from such thoughts by inciting them to think of raising hemp and iron which will be of solid and lasting service to them. I published a scheme for that purpose and recommended those things to them in my speech. It is approved out of the house; what they will think of it within time must resolve me. I am sorry that I cannot acquaint you that my proposals for settling foreign Protestants have been yet attended with success. They have been sent to Amsterdam, translated into High Dutch, and dispersed in several parts of Germany, and I still hope they will in time attain the end proposed.

I received a letter from M. Beauharnais [*etc. as in* No. 211]. I received notice of Spanish preparations for a descent on Carolina and Georgia [*etc. as in* No. 211]. Whilst this was in agitation vessels arrived in several ports from Carolina giving an account that if any descent had been intended it was now laid aside; and though this intelligence came only in private letters yet so much credit is given to it that Capt. Norris, I am told, does not intend to sail, and the Boston station ship which he ordered hither to join him lies here too. I have taken the examination of the master of a vessel lately arrived from Augustine which will give you some account of the present state of that place. I will in all things to the utmost of my powers exert myself for H.M.'s service in this business. Capt. Norris applied to me in council; I advised with the council, and having done so I must be concluded by their advice. The town was alarmed at the rumour of a press. Capt. Norris, I am told, said to one of the aldermen that he would not impress a man and that I could not, though he had applied to me. Perhaps he wished to see us again in a flame, I may venture to say, for it was obvious that he has all along given too much countenance to the faction; but he will not be able to raise another. *Signed*. 4 small pp. *Endorsed*, Recd. 27 June, Read 7 September 1737. *Enclosed*,

212. i. *New York Gazette*, No. 591, 1-8 March 1736/7, containing address to lieutenant-governor of the gentlemen and freeholders of the County of Richmond. *Printed*. 4 pp.

212. ii. Appendix to *New York Gazette*, No. 594, containing a similar address of the inhabitants and freeholders of the County of Albany. *Printed*. 2 pp.

212. iii. *New York Gazette*, No. 595, 28 March - 4 April 1737, containing proclamation by Lieut.-Governor Clarke proroguing the assembly, and an address to the lieutenant-governor of the freeholders of the County of Westchester. *Printed*. 4 pp.

212. iv. Speech of Lieut.-Governor Clarke to assembly of New York, 5 April 1737. *Printed*. 3 pp.

212. v. Address of thanks to Lieut.-Governor Clarke by the council of New York, with his reply. *Printed*. 3 *pp*.

212. vi. M. Beauharnais, Governor of Canada, to Lieut.-Governor Clarke; Quebec, 20 August 1736. *French. Copy*, of No. 211 i. above. 1½ *pp*.

212. vii. Lieut.-Governor Clarke to M. Beauharnais; New York, 26 October 1736. *Copy*, of No. 211 ii. above. 1 *p*.

212. viii. M. Beauharnais to Lieut.-Governor Clarke; Quebec, 15 November 1736. *French. Copy*, of No. 211 iv. above. 1 *p*.

212. ix. Lieut.-Governor Clarke to Capt. Congreve; New York, 1 November 1736. *Copy*, of No. 211 iii. above. 1 small *p*.

212. x. Affidavit of Abraham Kipp, sworn at New York, 5 April 1737. *Copy*, of No. 211 v. above. 1½ *pp*. All enclosures endorsed, Recd. 27 June 1737. [C.O. 5, 1059, *fos*. 3-23*d*, 26, 26*d*.]

## 213

April 13.  
Whitehall.

Letter from Alured Popple. In answer to the Duke of Newcastle's question in your letter of this day's date, the Council of Trade and Plantations have sent no direction to Governor Mathew relating to complaints made against him by the court of France and the Dutch; these complaints being made to H.M. and referred to them by the Duke to whom they enclosed their representations thereon, their lordships did not conceive themselves at liberty to send any directions to Governor Mathew as the whole affair was under H.M.'s consideration. You likewise ask whether Mr. Mathew has sent any account of his conduct; if in this question you include what at first gave ground to these complaints, the Montserrat Act under which some of the vessels and their cargoes were pretended to have been condemned, Governor Mathew in a letter to me says he passed the Act to prevent illicit trade carried on between the French and the New England and Rhode Island men. This letter I received in September last and it is the only one received in this office till 24th of last month upon the subject of this Act wherein Mr. Mathew expresses his concern for having given his assent to it without inserting the suspending clause. This is in answer to one written him by the Board 8 October last wherein they declared their surprise at his giving his assent to an Act of so extraordinary a nature without the said clause. But their lordships have received no letter from him giving any account of his conduct or the reasons that induced him to take the several steps complained of by the French and Dutch ministers. *Signed*. 2½ small *pp*. [C.O. 152, 40, *fos*. 300-301*d*.]

## 214

April 13.

Petition of John Rindge to Council of Trade and Plantations. The opinion of the Attorney- and Solicitor-General on the boundary question between Massachusetts and New Hampshire dated 18 March 1734/5 is proper to be laid before the intended commission. Petitioner prays for an attested copy of this report. *Signed*, for the petitioner, Ferdinand John Paris. 1 small *p*. *Endorsed*, Recd. 13 April, Read 19 April 1737. [C.O. 5, 879, *fos*. 134, 134*d*, 137, 137*d*.]

## 215

April 14.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 2*l*. 2*s*. paid in by Rogers Holland being the benefaction of a gentleman for the religious uses of the colony. Resolved, that Mr. Paris wait on the Council of Trade and Plantations and desire them to appoint a day for hearing the complaint of the Trustees against the assembly of South Carolina for passing an ordinance which obstructs the execution of the Act for maintaining peace with the Indians in Georgia. 1 *p*. [C.O. 5, 687, *p*. 11.]



216

April 15.  
Custom-house,  
London.

Charles Carkesse to Alured Popple. I have laid before the Commissioners your letters of 4 November and 24 December last transmitting drafts of general instructions for the governors in the plantations, and they having considered them direct me to return the same with such observations as have occurred to them which are inserted against each article as you desire. They desire that all directions to the governors so far as relates to the duty of the Naval Officer may run thus, vizt. "the governor or person appointed for that purpose" and when patents are granted by the crown to the Naval Officer as in Barbados and the Leeward Islands, Jamaica and Carolina, that the governor be directed "to see the Naval Officer does what is required".

Enclosed is a list of the Collectors in the Plantations with their respective districts, and the Commissioners desire the Naval Officers may be appointed at such places only where there is a Collector for the reasons mentioned against the 2nd article of the governors' instructions.

The Commissioners being informed that the officers of the Customs meet with frequent opposition in putting in execution the Act of 6 Geo. II for encouraging the trade to the sugar colonies, I am also directed to send you copy of an instruction they desire may be given to the governors in the Plantations to be assisting to the officers of the Customs in putting the said Act in execution. [*Note in another hand:* This was made an article and added next the 12th article of the instructions relating to trade etc. given to the governors of Virginia, New York etc.] *Signed.* PS. When the instructions are perfected please favour me with a copy as they are given to the governors. 1½ pp. *Endorsed, Recd. 18 April, Read 18 May 1737. Enclosed,*

216. i. List of Collectors of Customs in the Plantations. 1½ pp. *Endorsed, as covering letter.*

216. ii. Blank specimen of Naval Officer's list of shipping. 2 pp. *Endorsed, as covering letter.*

216. iii. Draft of instructions concerning Acts of Trade to be given to governors in America with observations of the Commissioners of Customs thereon. 49 pp. *Endorsed, as covering letter. [C.O. 323, 10, fols. 72-104d.]*

217

April 15.  
New Providence.

Governor Richard Fitzwilliam to Council of Trade and Plantations. Having lately received from my agent unattested copies of a complaint from Chaloner Jackson to you and of depositions of Florentius Cox, John Yerworth and William Vittry, setting forth many enormities said to be committed by me in this government, which I have not hitherto received any directions from you to answer, I think in justice to my character I ought not to defer saying something to you in my own vindication lest I should suffer in your private opinion. I already stand accused to H.M. of many particulars alleged against me by the complainant and as I am directed by the Committee of Privy Council for Plantation Affairs to answer to them I presume it is unnecessary to take up your time concerning them. But as to those things mentioned in the complaint before you which were not set forth in that before the Committee, I have transmitted my answer to my agent to be laid before you whereby I doubt not you will be convinced of the injuries and insults I have received from the complainant. I should have acquainted you and the Commissioners of Customs (to whom he has long since complained and who are reasonably to be supposed to be good judges whether their officer met with proper encouragement and protection) of them before this were it not in respect to one of your number to whom he is related. But as I claim no merit on account of the kindness I showed him before his ill treatment of me

and for my charity to his wife and child whom he left in a starving condition when he fled from hence at the instigation of John Colebrooke who has been so often mentioned at your board by my predecessor Mr. Rogers and me, I expect no favour on that score. I depend on your known justice. I have only to entreat you to suspend having an ill opinion of my behaviour till it is proved my conduct deserves it.

When you come to consider my situation here among a people long distracted by feuds and animosities created among them by the contrivance of Colebrooke and that it is with infinite difficulty I have prevailed upon proper persons to serve as judges in the courts or execute the little offices of government by reason of the trifling profits annexed to them, you will be of opinion I have regulated this government beyond what could be reasonably expected and brought the inhabitants to a greater unanimity in my favour than could possibly be expected; and if they may be allowed to be proper judges of the good or ill treatment they have received from me surely their own sentiments set forth in the council and assembly journals attested by sworn officers and in an address from the grand jury inserted in the former, 26 November 1735, cannot but have weight with you. I refer to my letters of 4 December 1733 (a few days after I landed here and before I could have any personal resentment) and 22 December 1735 about Colebrooke (long before complaints were preferred against me). I observe the complainant to you endeavours to induce you to believe that the persons appointed by me to the little offices of the government are corrupt, dishonest people, and seems particularly to reflect on me for having appointed Mr. Scott, the secretary of these islands, chief justice: this gentleman was recommended to me in England as a man of extreme good character, which indeed by his behaviour here he appears to have deserved for I believe nobody ever executed the offices he enjoys so much to the good liking of the inhabitants; and though they may seem to you too many to be vested in one man yet it is a thing that cannot be avoided, because in the first place there is no other man in the country any way capable of executing the office of chief justice that would accept the same by reason it is a troublesome employment without salary and scarce any profit attending it, and in the next the profits of the other employments he holds do not in the whole amount to above 100*l.* sterling a year out of which he pays a clerk thirty, so that were it not that I give him and his clerk their board in my house he could not live upon his income here, which indeed both he and I imagined before I left England would have been at least 200*l.* a year or I could not have prevailed upon him to have come with me.

We have been for some little time past under apprehensions of an invasion from the Spaniards whereof I have acquainted the Duke of Newcastle to whom I transmitted some depositions made before me by people lately come from Havana concerning the same. I have had no further confirmation thereof and hope there is no such design on foot; at least I am obliged to induce the inhabitants to think there is not because many of them were so much alarmed thereby that they talked of removing themselves and families to some place of greater security.

Herewith are transmitted copies of three short laws passed by the assembly which met immediately after I had received the information of the intended invasion aforementioned, the purport whereof will be fully explained by their titles: an Act to prevent vexatious, tedious and troublesome lawsuits for trivial and small debts, an Act confirming certain indentures or articles of agreement dated 7 September 1736 between the governor and council and James Scott for a house for the governor, an Act for settling and regulating the militia. You will also receive duplicate of my letter of 12 November last, council journals from Michaelmas to Lady Day last and lists of shipping for the same time, treasurer's accounts from midsummer to Christmas last, and journals of council and of lower house in the late assembly.



Whatever deposition Colebrooke may have made before you concerning the complaint of Jackson has not been transmitted me; consequently it cannot be expected I could be particular in any proofs to confute whatever he has alleged against me. *Signed*. PS. I have sworn into the council Peter Moore in the room of William Hall deceased, there being then no more than six members of the council within this government. Observing it alleged in the complaint against me to you that the trade of this place is much diminished since my arrival here, I sent for the Custom house books and counted how many vessels cleared out here the last three years of Mr. Rogers's government and the first three of mine and find (notwithstanding we have made little or no salt these two last years and the great number of inhabitants lost the first years I came here by sickness) they differ but one in number; our import and export these last three years greatly exceed in value what had been imported and exported here the whole time of Mr. Rogers's government. 4 *pp*. *Endorsed*, Recd. 12 September, Read 21 September 1737. *Enclosed*,

217. i. Account of duty inwards imposed by Act of assembly in the Bahama islands, Christmas 1735–midsummer 1736. 11 ships. Total of duty, 82*l*. 3*s*. 7½*d*.

Account of same outwards for same period. 17 ships. Total of duty, 62*l*. 7*s*.

Account of taxes per poll and lots of land in Nassau imposed by Act of assembly in the Bahama islands, for same period. 131 masters of families [*names given*]; total of taxables, 340. Yield of taxes, 58*l*. 3*s*. 7½*d*.

Account of contingent charges for same period, 24*l*. 17*s*. 7*d*.

Account of H.M.'s revenue in the Bahamas for same period. Receipts, 269*l*. 12*s*. 5*d*. including balance of last account 66*l*. 18*s*. 2*d*. Disbursements, 103*l*. 17*s*. 4*d*. Balance remaining 165*l*. 15*s*. 0½*d*. *Signed*, William Stewart, Receiver-General and Treasurer. The accounts were examined, passed in council and sworn to by William Stewart. *Signed*, Richard Fitzwilliam, 13 July 1736. 6 *pp*.

217. ii. Account of duty inwards imposed by Act of Assembly in the Bahama islands, midsummer–Christmas 1736. 11 ships. Total of duty, 85*l*. 6*s*. 3*d*.

Account of same outwards for same period. 26 ships. Total of duty, 88*l*. 12*s*. 0½*d*.

Account of arrears of taxes, fines and forfeitures for same period. Total, 22*l*. 9*s*. 10½*d*.

Account of contingent charges for same period. Total 67*l*. 0*s*. 3*d*.

Account of H.M.'s revenues in the Bahamas for same period. Receipts, 362*l*. 3*s*. 2*d*. including balance of last account, 165*l*. 15*s*. 0½*d*. Disbursements, 145*l*. 5*s*. 2½*d*. Balance remaining, 216*l*. 18*s*. *Signed*, and certified as preceding, 9 March 1736/7. 6 *pp*. *Endorsed*, Recd. 12 September, 1737. [C.O. 23, 4, *fols*. 3–12*d*.]

218

April 16.  
Charleston.

Paul Jenys to Harman Verelst, enclosing three quarters accounts of the duty on rum granted for the benefit of Georgia to 1 March last. They are each of them signed by the treasurer, for which the Trustees have credit 1612*l*. 5*s*. 7½*d*. in their account under that head. *Signed*. *Seal*. 1 small *p*. [C.O. 5, 639, *fols*. 263–264*d*.]

219

April 18.  
New Providence.

Answer of Governor Richard Fitzwilliam to the complaint of Chaloner Jackson exhibited to the Council of Trade and Plantations, 7 October 1736. Chaloner Jackson while collector at New Providence was protected by the governor in the execution of his office. Whatever molestation persons concerned in trade met with were owing to Jackson's malpractices: there were continual complaints to the governor of the charging of exorbitant fees. Jackson publicly excused some of the inhabitants from paying the enumerated duties. Far from trying to detain them, the governor often wished Jackson and his wife were gone from the island.

(1) The exemption from port charges of vessels arriving at Providence with recruits, provisions, stores etc. was agreed by the council on 1 January 1733/4. Jackson, though objecting, at last consented to it. The governor has had no share in ships trading to the Bahamas, nor has there been one vessel from the continent exempted from the port charges. The governor has not bought salt provisions to the value of more than about 40*l.* nor live sheep or cattle except forty sheep, six he had a share in, and six others. (2) The proceeding had upon the navigation bond entered into by Thomas Petty was agreeable to law and article 21 of the governor's instructions. The governor never threatened Petty or any other person to put in suit any bond for refusing to comply with any request. He never directed the marshal to detain Lawford. No application was made to him by the assembly for Lawford's release. No member of the assembly was directed by the house to remand Lawford out of custody of the marshal. No such answer as is set forth in the complaint was returned by the marshal to the messenger of the house. Lawford was set at liberty by interposition of the governor and without any condition that he should no more attend the business of the house. The governor does not believe that Mr. Scott ever unreasonably refused to accept of any person to be security in a navigation bond; the collector's advice has always been taken in judging the sufficiency of such security. (3) The governor has fully answered to the Lords of the Committee of the Council the matters in the third article relating to blankets etc. and the personal ill treatment of Jackson. The collector was never refused any copy or record of court. The governor did not buy any of Jackson's negroes and believes they were sold for their full value. (4) The governor says it will appear by good testimony that he has not removed any judge except Mr. Rowland, nor J.P. nor secretary nor provost marshal nor officer of Chancery, nor has advanced or degraded any member of the council except Jackson and that at his own request. The governor never attempted to prevent Jackson, his wife, Florentius Cox or John Yerworth from leaving the island. After Jackson's departure the governor supported his wife and child. The governor's agent can prove insolent and turbulent behaviour by Jackson towards him and Mr. Rogers.

As to William Vittry's deposition the governor is prepared to depose that he never offered Vittry 20*s.* per ton freight of the *braziletto*. Mr. Scott's testimony will show that Vittry seemed well pleased with the freight arrangements. Colebrooke's agents might have offered Vittry 24*s.* per ton freight for wood to Carolina, though no such freight has been before or since given, to induce him to think himself ill used. *Signed. 6 pp. Annexed,*

219. i. Schedule of papers and evidence to support the foregoing answer, including 46 depositions and sundry other papers. *N.B.* There are several other depositions transmitted to Henry Popple which prove many irregularities of Jackson, Colebrooke's turbulency, as also that he has been a barrator, a receiver of stolen goods and an abettor of felony, that Cox ran away with two vessels in the West Indies and has been guilty of perjury, and that Yerworth has been a runaway from two or three places and was convicted of theft at Providence, fled to Havana and changed his religion, afterwards returning to Providence and again professing the Protestant religion. 3 *pp.* [*C.O.* 23, 4, *fos.* 14-18*d.*]

220

April 18.  
Palace Court.

Minutes of Common Council of Georgia. Referred to committee of correspondence to contract with the owners of the *Two Brothers* to go to Inverness to take in 40 men for Georgia at 5*l.* per head. Resolved, that 20*s.* per head be allowed for engaging the said 40 men and 20*s.* per head for clothing and bedding; that the Trustees will pay the passage of 40 men from Inverness to Georgia



at 5*l.* per head by the *Two Brothers*, Capt. Thomson; that Capt. Thomson be obliged to stay 14 days at Inverness for the reception of the 40 men and in case he does not receive them within that time that he be at liberty to stay or go with such as he may receive; that the committee be empowered to give a reasonable allowance for so many of the 40 men as shall not be delivered in Georgia; that 15 barrels of gunpowder for smallarms be sent by the *Two Brothers* for Georgia. Ordered, that 100 muskets and bayonets, 200 Indian arms, 3 cwt. of musket bullets, 3 cwt. of Indian gun bullets, 6 cwt. of lead, one pair of bullet moulds of 9 holes each for the musket bore, and two iron ladles be sent to Georgia by the *Two Brothers*. Ordered, that 300 pairs of shoes be made at 4*s.* per pair according to the pattern John Cox made the shoes that were ordered 13 August 1735. Read, the proposals of William Stephens of the terms on which he is willing to serve as secretary for the Trust in Georgia; resolved, to agree to said proposals; Mr. Stephens is appointed secretary; committee of correspondence is to prepare his instructions. 2½ *pp.* [C.O. 5, 690, *pp.* 66–68.]

**221** Minutes of meeting of Trustees for Georgia. Read letter from Lieut.-  
April 18. Governor Thomas Broughton of 7 February 1736/7. [See No. 59].  
Palace Court. Ordered, secretary to answer the same. 1 *p.* [C.O. 5, 687, *p.* 12.]

**222** Benjamin Martyn to Lieut.-Governor Thomas Broughton, thanking  
April 18. him for letter of 7 February 1736/7 giving notice of advices from  
Georgia Office. Commodore Dent of a Spanish design against Georgia. The Trustees have taken and will take the most effectual measures in their power for the defence of Georgia, and they have no doubt but you will find the persons entrusted with the administration of affairs in Georgia ready to join with you in all necessary measures for the support and defence of the colony. *Entry.* ½ *p.* [C.O. 5, 667, *fo.* 14.]

**223** Appointment by the Trustees of Georgia of William Stephens as  
April 18. secretary for the affairs of the Trust in Georgia. *Entry.* 1 *p.* [C.O. 5, 670, *pp.* 322–323.]

**224** Instructions for William Stephens, secretary for the affairs of the Trust  
April 18. in Georgia. Military concerns: you are to send the following accounts, (1) of all fencible men in the province between 20 and 55 according to town and village; (2) of forts and garrisons, cannon, powder stores, ammunition, swords, bayonets; (3) of the condition of the storehouses in the forts and supply of fresh water there.

Civil concerns: you are to send the following accounts, (1) of the behaviour of the inhabitants towards their magistrates, their industry, sobriety and obedience; (2) the people's reasons, good or bad, for not having cultivated their lands; (3) a report of the surveyor's negligence and who can do that work; (4) the number of souls, English, Scottish and foreign; (5) the number of gentlemen, freeholders and servants; (6) how cultivation and enclosure go on, who have been remarkably industrious or otherwise; (7) what progress is made in the silk; (8) of the public gardens, the plantation of vines and the prospect of making wine; (9) whether coffee is cultivated and what other useful berries; (10) whether the timber cut down be best used for building or traffic; (11) whether the timber on the Trust lands be preserved.

Religious concerns: (1) you are to inform the Trustees whether the people frequent divine service according to their several persuasions, by which means they will know whether any concealed papists are among them, and inform the Trustees what example the magistrates give the people; (2) you are to acquaint the Trustees how the cultivating

the land for religious uses goes on; (3) you are to recommend the magistrates strictly to punish vice and immorality, to pay reverence to oaths and to encourage the ministers; (4) you are to recommend to the magistrates to encourage the children at school; (5) you are to recommend them to do the same by the Indian children.

Other general instructions: (1) You must call regularly on the magistrates and other officers to make up their accounts and send them quarterly to the Trustees; (2) you must suggest to the Trustees whatever you think may further the good of the colony; (3) you must advertise the Trustees of all material occurrences; (4) you must see that the naval officers inform the Trustees of all ships coming into the ports of Georgia, their going out, cargoes, whence they came and where bound; (5) you must miss no opportunity of writing to the Trustees; (6) you are to send duplicates of all letters you write by the next ship; (7) you are to enter all letters sent by you to the Trustees in a book; all letters received by you you are to endorse when you received them and by what ship.

Private instructions: (1) you are to send an account of the behaviour of the magistrates and other officers of Savannah and Frederica; (2) you are to send an account of the people's pretences of complaint against the magistrates. *Entry.* 3 *pp.* [C.O. 5, 670, *pp.* 323-326.]

**225** Memorial of Charles, Lord Baltimore, to Council of Trade and Plantations in same terms and to same purpose as No. 267 i. 5 *pp.* *Endorsed,* April 19. Recd. from Mr. John Sharpe. Recd., Read 19 April 1737. [C.O. 5, 1268, *fos.* 278-281*d.*]

**226** Harman Verelst to Thomas Causton, by *Princess Carolina*, Capt. Coe. April 19. The Trustees have ordered that Ann Clark, servant to Mr. Hetherington, be brought back by Capt. Dymond, her uncle Thomas Siddons Georgia Office. having applied for it.

Certified accounts have been received as follows: Hugh Bryan's, William Bellinger's, David Provoost's. William Clay's has not yet come to hand. The Trustees have also received two certified accounts which you enclosed to Mr. Oglethorpe 27 January last, giving advice of paying the same in sola bills without Mr. Oglethorpe's endorsement, vizt. to Mr. Barns 40*l.* for 39*l.* 19*s.* 8*d.* due to him and Messrs. Minis and Salomons for 21*5l.* due to them for a cargo from New York. The Trustees, judging those bills of no use without a proper endorsement, have sent you by the *Peter & James* 1000*l.* with proper endorsements on them for the services they are appropriated to defray. Being uncertain whether any more of the 1500*l.* sola bills which by their letter of 14 January last they desired to be sent back have been paid before the receipt of their letter to discharge certified accounts sent over before you received those bills, they are obliged to postpone the paying those accounts for some time until they receive an answer from you to their letter of 14 January; and they are very much surprised you did not write to them 10 February last after having paid to Mr. Brownfield 178*l.* more of the said sola bills and should be glad to know the occasion.

Two men-servants were shipped at Gravesend on *Peter & James* to be delivered to you to be sent to Cooper the millwright and employed by him for the public service in fitting up and using the sawmill. There is another sawmill to be sent over as soon as possible. Samuel Lacey's wife and children did not go with Capt. Dymond but intend to go by the next opportunity. The Trustees desire you will take care of preserving the clock for the church which was sent over, that it may not be spoiled. Mr. Anderson lately sailed from Cromarty in Scotland to Georgia: the Trustees have ordered that he be given credit in Georgia, if he wants it, of 12 bushels of corn and 200 lbs. of meat for himself and each of his servants for a year. *Entry.* 2 *pp.* [C.O. 5, 667, *fo.* 15, 15*d.*]



**227** Harman Verelst to Elisha Dobree at Frederica, acknowledging letter of 17 December last. Care will be taken for sending a minister to Frederica and finding proper instruction for the children. Mrs. Dobree is willing to come over to you with her family provided she could be satisfied how you would provide for them. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 14d.]

**228** Harman Verelst to Thomas Christie at Savannah. The Trustees have received the copies of proceedings of the town court at Savannah, but they observe several trials at the said court whereon no judgments have been passed. They therefore desire you will review the last account of the said proceedings which you sent and let them know what sentences have been passed and how such sentences have been executed upon the several verdicts that required sentences and which have not yet been mentioned by you. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 14d.]

**229** August Gottlieb Spangenberg to Trustees for Georgia. The Bohemian and Moravian Brethren who came from Count Zinzendorf and have since then dwelt in Georgia desire leave to depart that colony, as by copy of letter to Mr. Causton enclosed appears. I therefore desire they may have liberty to depart. They intend to pay every farthing of their debt before they go and they are bound to no one by writing or agreement. I further petition for leave, for the common benefit of these men, to sell the lands given to me and David Nitschmann at Savannah and the houses thereon. Not that we desire any profit to ourselves, but we would that these men may reap some small fruit of their labour. We do not desire anything for the land itself but only for the clearing and improving it, there being upwards of 40 acres cleared, 10 whereof lying near the town is fenced in with pales. *Signed.* 2 pp. [C.O. 5, 639, fols. 266-267d.] *Enclosed,*

229. i. Savannah, 21 February 1737; Moravian settlers in Georgia to Thomas Causton. *Copy*, of No. 168 vii. [C.O. 5, 639, fols. 342-343d.]

**230** Si[las?] Luttrell to Alured Popple. My brother Temple Lawes one of H.M.'s council in Jamaica having very imprudently on account of a private pique absented himself from the duties of his public capacity, I am obliged to have recourse to you to move the Lords of Trade that no effects of H.M.'s displeasure may fall upon him. Mr. Lawes has always shown, excepting this one instance, the greatest attachment to the royal family and the duties of his station. His father was governor of Jamaica. We, Mr. Lawes's friends, hope it will plead very strongly in his favour and that the son of the first man of the island and one of the most considerable by his fortune will not find all the merits of his former behaviour weighed down by one rash proceeding where the motive was much less blameable than the consequence, and to which a warm temper may expose any man. *Signed.* 2 small pp. *Endorsed*, Recd. 22 April, Read 26 April 1737. [C.O. 137, 22, fols. 120, 120d, 123, 123d.]

**231** Minutes of meeting of Trustees for Georgia. Mr. Paris reported that the Council of Trade and Plantations could not appoint a day for hearing the complaint of the Trustees till they receive further information and evidence from South Carolina relating to the complaint of the council and assembly against Georgia. 1 p. [C.O. 5, 687, p. 13.]

**232** Council of Trade and Plantations to Lords of Committee of Privy Council. Pursuant to order of 6th inst. [see No. 206] we have been attended by Mr. Crymble and have received a paper signed by him; to which we add that in our opinion it will be difficult for the petitioners to tie themselves

down to any other obligation of transporting foreign Protestants and settling them upon the land petitioned for than those already mentioned for the reasons set forth by them in the paper enclosed. And we think the immediate expense they propose of surveying and marking out the land petitioned for prior to their making any advantage of it will be a sufficient obligation on them to complete the settlement proposed. You will observe the petitioners are willing that in case any mines shall be found in the land petitioned for one-fifth part of all gold and silver ore shall be reserved for H.M. as is reserved in the charter of Massachusetts and one-tenth part of all other mines and minerals whatsoever. *Entry. Signatories*, Fitzwalter, T. Pelham, M. Bladen, Arthur Croft, R. Plumer. 2½ pp. [C.O. 5, 323, fos. 126d-127d.]

## 233

April 21.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. We have no objection to H.M.'s approbation to George Thomas as deputy-governor of Pennsylvania without limit of time and of the three lower counties during H.M.'s pleasure provided he gives the usual security for observing the Acts of Trade and Navigation and qualifies himself for that trust. John, Thomas and Richard Penn have already renewed the declaration formerly made by their father relating to H.M.'s right to the three lower counties and lodged the same in our office. *Entry. Signatories*, James Brudenell, Arthur Croft, R. Plumer, Fitzwalter, T. Pelham, O. Bridgeman. 1½ pp. [C.O. 5, 1294, pp. 103-4.]

## 234

April 21.  
Whitehall.

Council of Trade and Plantations to the King representing that an Act passed in North Carolina under the late Lords Proprietors entitled an Act relating to biennial and other assemblies is derogatory to H.M.'s prerogative. As we cannot learn that this law was ever approved by the Lords Proprietors of the province as it should have been according to the fundamental constitutions formed by them for the better regulation and government thereof, it may be matter of dispute whether this can be deemed a law subsisting; but to prevent any such doubts and in order to discourage any attempts of this kind we lay the said act before you for immediate disallowance. *Entry. Signatories*, Fitzwalter, M. Bladen, Orlando Bridgeman, Arthur Croft. 2 pp. [C.O. 5, 323, fo. 128, 128d.]

## 235

April 21.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle in reply to letter of 21 March, enclosing the following representation relating to the proposals made by M. Maurepas to Lord Waldegrave for preventing disputes about illicit trade in the West Indies. *Entry. Signatories*, Thomas Pelham, R. Plumer, M. Bladen, James Brudenell. 1 p. *Enclosed*,

235. i. Same to the King. We have considered the paper delivered by M. Maurepas to Lord Waldegrave relating to captures lately made in America of British and French ships and the proposals to prevent the like. We have taken the opinion of persons concerned in the trade of America. By the first of the proposed articles French ships sailing between island and island may be seized if within a league of a British island; but by the fourth article, not only British ships sailing from island to island but also ships from New England are included. Furthermore by article four, British ships may be confiscated if by the nature of their cargo or other circumstances there shall be proof of an intention to trade with the French. This is liable to great uncertainty because the words may furnish a pretence for confiscating any vessel



from those parts: the loading of every ship either to the French or British islands must always be of the same nature.

In the second and third articles it is proposed that neither British nor French ships sailing within a league of each other's shores shall be seized in their return from the sugar-colonies to Europe. These articles carry the appearance of equality. But French vessels returning to Europe are more frequently obliged to come near British islands than British to come near French (except only ships from Jamaica coming through the windward passage). British vessels from Europe on the other hand are obliged to go nearer French colonies. The merchants whom we have consulted apprehend that besides homeward-bound ships, vessels bound for Africa or coming from Europe or Africa to any of the sugar-islands should have been reciprocally excepted, although they may in their way have touched at any of their own islands (as is frequent in the course of that trade). In the second article, it is declared that French vessels shall not be seized nor their navigation hindered on pretence of their being within a league of the English islands; whereas by the third article English vessels in like situation are only excepted when by chance they may be within the said distance of the French islands. But the rule of both nations should have been conceived in the same words.

There are likewise several terms in all the proposals which may give occasion to dispute, particularly "league", "coasting" and "cruising". The first of these might be better ascertained by being called a league or three English miles, and the two others by the general word "sailing" which comprehends both coasting and cruising. In the fifth article it is proposed that no English man-of-war or merchant-ship shall drop anchor at any French port other than those named in the article. No provision is made for vessels driven into other ports by weather or enemies, which is a case particularly provided for by the Treaty of Neutrality of 1686. The principal ports in Grenada and Marie Galante not being named may leave room for dispute. It would be exceedingly inconvenient for your subjects to be confined to those ports only which were named for St. Domingue because almost all British ships going and returning through the Windward Passage are obliged to sail within less than a league of St. Domingue and of many other small islands adjacent where they are frequently forced to touch for wood and water. If this regulation were to take place, some other ports should be added in St. Domingue, particularly the bays of Donna Maria and Tiburon, with proper allowances made for the particular cases provided for by the Treaty of 1686. The first part of this article is particularly levelled at the liberty your warships now have in necessary cases to enter any other of the French ports in America; and the latter part declares that merchant-vessels shall not enter any other but the ports particularly specified, nor unto them without sufficient reason, of which the French will be the only judges as well as of the time necessary for their continuance there. If it should appear by their consignments, the nature of their loading, or other circumstances, that they intended to trade, they shall be confiscated. Consignment, loading and other circumstances are made three distinct reasons for confiscation, and every vessel from the northern colonies to Barbados or the Leeward Islands which may be forced into any of the French ports may be condemned. We apprehend this article would be highly injurious.

To avoid all chicane and inequality we propose that in all cases of seizure, whether of English or French vessels, proof of a design to trade by some overt act should be made by two credible witnesses at least before such vessel be liable to confiscation; that such overt act be particularly charged and specified in the libel or information; that no overt act be allowed of except particularly specified as above and that all

evidences in support thereof be made part of the record; that the claimant be allowed a reasonable time to make his defence, shewing by affidavit that the same is necessary; that in cases of condemnation the reasons be particularly mentioned in the sentence; that an appeal be allowed as of right to the superior court of that island where such sentence shall have been given, and in case the sentence shall there be confirmed the claimant to be allowed an appeal to the proper court of judicature either in England or France giving reasonable security for prosecuting the same; that he have authentic copies of all proceedings delivered to him, paying the accustomed fees for the same, and that sentence of condemnation be respited until such an appeal shall be determined at home; that every appeal be prayed for and determined within a certain number of days after trial, and that every vessel seized shall at any time be discharged even before trial, if desired, on the ship and cargoes being appraised upon oath and sufficient security given to answer such appraised value in case the sentence of condemnation be confirmed; but that in every case where sentence be given in favour of the claimant the ship and cargo shall be restored or the security discharged within a certain number of days after; and that in case of seizure only where illegal trade shall not have been proved no master of any vessel nor any of the crew shall be fined or imprisoned.

As to British ports to which French ships may be admitted we propose (if any new regulation take place) that no French ship drop anchor in any port but the following unless forced by stress of weather or other unavoidable necessities: in Barbados, Carlisle Bay and Speight's Bay; in Antigua, Willoughby Bay and St. John's; in Montserrat, Plymouth; in Nevis, Charles Town; in St. Christopher's, at Basse Terre and Old Road; in Jamaica, Port Royal, Port Antonio and Blue Fields; in Bahamas, Providence; in Bermuda, St. George's. In our opinion, however, all cases in dispute relative to illicit trade and navigation are sufficiently provided for by the Treaty of Neutrality to which there is nothing wanting but a specification of what shall be deemed sufficient proof of any vessels having carried on illegal trade, and of the form of proceedings that shall be observed thereupon for which we have proposed a remedy herein. As we apprehend these new regulations consisting of so many different particulars may tend to enervate and destroy the force of the said treaty, we offer that all matters might continue on the foundation of the treaty with the addition only of a specification of what shall be deemed sufficient proof of illegal trade and the form of proceedings thereon; that the French should repeal their edict; that you should repeal the Montserrat Act; and that mutual restitution should be made not only of vessels named in the French proposals but of all others on both sides taken since the French edict of 1727, where there has not been substantial proof of illegal trade made against them. *Entry. Signatories*, as covering letter, with Arthur Croft. 16 pp. [C.O. 153, 16, fos. 50d-58d.]

236

April 21.  
Whitehall.

Order of King in Council approving a report from Committee for Plantation Affairs on the complaint of Mahomet, Chief Sachem of the Mohican Indians, of deprivation of land by the inhabitants of Connecticut. [See *A.P.C. (Colonial Series)*, 1720-45, pp. 531-3.] The Committee recommend that a commission of review should be granted and submit a draft commission. This is approved, the Duke of Newcastle is to prepare a warrant, and the charge of passing the commission is to be defrayed by the crown. *Copy*, certified by Temple Stanyan. 4½ pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 5, 1268, fos. 288-291d; warrant in C.O. 324, 37, pp. 59-65; another entry in C.O. 324, 50, pp. 191-197.]



- 237** Same, approving the recommendations made in a report from the  
 April 21. Committee for Plantation Affairs [see *A.P.C. (Colonial Series)* 1720-45,  
 St. James's. p. 544] on the complaints from the French Court and from M. Hop  
 for the States General about seizures of ships in the Caribbean. Proper representations  
 are to be made at the French Court that the question may be settled amicably; further  
 consideration to be respite till the results of these representations be known. *Copy*,  
 certified by Temple Stanyan. 3 pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [*C.O.*  
 152, 22, *fos.* 343-344*d.*]
- 238** Same, approving the recommendation made in a report from the  
 April 21. Committee for Plantation Affairs [see *A.P.C. (Colonial Series)* 1720-45,  
 St. James's. p. 554] on the petition of John Yeamans and others for additional  
 military forces in Antigua consequent upon the negro rebellion. The Committee was  
 not satisfied that additional forces could be either subsisted or quartered there and  
 recommended that no augmentation be made. *Copy*, certified by Temple Stanyan. 2 pp.  
*Endorsed*, Recd. 16 May, Read 24 May 1737. [*C.O.* 152, 22, *fos.* 347, 347*d.*, 352, 352*d.*]
- 239** Same, approving fifteen Acts passed in Massachusetts in 1733 and  
 April 21. 1734, vizt. Acts for erecting the lower plantation of Housatonic into  
 St. James's. the township of Sheffield; in further addition to an Act for providing  
 for precinct or parish meetings; in further addition to several Acts for settlement of  
 estates of intestates; for altering times for holding courts; for erecting the town of  
 Rumford; in addition to an Act for punishing criminals; in addition to Acts for prevent-  
 ing encroachments on highways; in addition to an Act for ease of prisoners for debt; to  
 prevent unnecessary lawsuits; for regulating proceedings on bonds of administrators  
 on intestate estates; to exempt Anabaptists from being taxed for support of ministers;  
 in addition to Act for regulating choice of town officers; for erecting town of Halifax  
 in Plymouth county; for dividing the town of Enfield and erecting a new town of  
 Somers; for erecting the township of Litchfield. *Copy*, certified by Temple Stanyan.  
 2½ pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [*C.O.* 5, 879, *fos.* 151-152*d.*]
- 240** Same, on a representation from Council of Trade and Plantations and  
 April 21. a report from Committee for Plantation Affairs, approving an Act  
 St. James's. passed in Jamaica in May 1736 to explain and enforce the will of John  
 Wolmore, late of Kingston, goldsmith, deceased, and for establishing a free school in the  
 island. *Copy*, certified by Temple Stanyan. 1½ pp. *Endorsed*, Recd. 16 May, Read 24 May  
 1737. [*C.O.* 137, 22, *fos.* 121-122*d.*]
- 241** Same, on a representation from Council of Trade and Plantations and  
 April 21. a report from Committee for Plantation Affairs, approving an Act  
 St. James's. passed in Jamaica in May 1736 to confirm the sale of a house in St.  
 Jago de la Vega commonly called the Fort House. *Copy*, certified by Temple Stanyan.  
 1½ pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [*C.O.* 137, 22, *fos.* 125, 125*d.*, 128,  
 128*d.*]
- 242** Same, approving draft of additional instruction for the governor of  
 April 21. Massachusetts to restrain him from assenting to any Act for issuing  
 St. James's. new bills of credit except only to the value of 30,000*l.* for the annual  
 support of the government or to any Act for reissuing old bills of credit without inserting  
 a clause suspending the execution of the same until H.M.'s pleasure shall be declared.

Duke of Newcastle to prepare the instruction for H.M.'s signature. *Copy*, certified by Temple Stanyan. 1½ pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 5, 879, fos. 154-155d; entry of instruction in C.O. 324, 37, pp. 56-58.]

**243** Same, on a representation from Council of Trade and Plantations and  
 April 21. a report from Committee for Plantation Affairs, approving an Act  
 St. James's. passed in Jamaica in May 1736 to enable David Jones, a minor, and  
 others to sell lands in Jamaica. *Copy*, certified by Temple Stanyan. 1½ pp. *Endorsed*, Recd.  
 16 May, Read 24 May 1737. [C.O. 137, 22, fos. 126-127d.]

**244** Same, disallowing an Act of South Carolina for ascertaining public  
 April 21. officers' fees. *Copy*, certified by Temple Stanyan. 1½ pp. *Endorsed*,  
 St. James's. Recd. 16 May, Read 24 May 1737. [C.O. 5, 365, fos. 208-209d.]

**245** Same, approving report from Committee for Plantation Affairs, that  
 April 21. the petition of Samuel Storke and Peter Van Brugh Livingston for a  
 St. James's. grant of land in Albany county, New York, be dismissed. *Copy*,  
 certified by Temple Stanyan. 2 pp. *Endorsed*, Recd. 16 May, Read 24 May 1737. [C.O. 5,  
 1058, fos. 167, 167d, 170, 170d.]

**246** Council of Trade and Plantations to Committee of Privy Council.  
 April 22. We have considered your order of 1 May 1735 referring to us the  
 Whitehall. memorial of Thomas Coram together with petition of several of  
 H.M.'s subjects in and about London and Westminster in behalf of themselves and many  
 others relating to the settlement of Nova Scotia and Cat Island, one of the Bahamas.  
 Upon this occasion we have several times been attended by Mr. Coram and the petitioners  
 who have proposed to undertake the settlement provided the province of Nova Scotia  
 and Cat Island be vested in trustees for a term of years, that the trustees do recommend  
 the governor for H.M.'s approbation, that a council and assembly be chosen by the  
 inhabitants, and that land be granted to them in proportion to their abilities.

As the settlement of Cat Island is not immediately necessary to forward that of Nova  
 Scotia, we proposed to Mr. Coram that the settlement of Nova Scotia might be the first  
 consideration; and he has agreed to the following proposals for that purpose: (1) that a  
 certain number of gentlemen and others be incorporated trustees for promoting the  
 said settlement; (2) that the said trustees do recommend to H.M. a deputy governor for  
 the said province for H.M.'s approbation who, when approved, shall give the usual  
 security for observing the several Acts of Trade and such instructions as shall be sent  
 to him in relation thereto; (3) that the said trustees shall appoint persons to be the deputy  
 governor's council until there shall be a sufficient number of inhabitants settled in the  
 province when a council and assembly may be chosen; (4) that when the said assembly  
 shall be chosen they shall annually elect councillors not exceeding 21 in number and  
 present their names to the deputy governor for his approbation who is to have an ab-  
 solute negative upon each of them respectively; (5) that the deputy governor with the  
 advice and consent of the said council may appoint judges, justices and courts of judica-  
 ture for hearing and determining all causes as well criminal as civil; (6) that the deputy  
 governor, council and assembly may enact such acts and laws as they shall think necessary  
 for the good government and prosperity of the province provided they be not repugnant  
 to the laws of this kingdom and that within six months from their being passed they  
 be transmitted to the Board of Trade in order to be laid before H.M. for his approbation  
 or disallowance; (7) that the said deputy governor with the advice and consent of his



council may grant land to any of the inhabitants of the province in such quantity and manner and under such rents, services and reservations as shall be appointed by the charter to the trustees; (8) that at the expiration of 21 years from the date of the charter all the right, claim, power etc. of the trustees shall entirely cease and all public accounts, books, records and effects then remaining in the possession of the trustees shall be delivered up for the use of the province to such person or persons as H.M. shall think fit to appoint to receive the same; and that the government of the province shall then return entirely to the crown to be exercised as in New York or any other Plantation immediately under H.M.'s protection. The petitioners have likewise proposed that the trustees may be empowered by their charter to ask and receive money from such as are inclined to assist the settlement of this province.

The settlement of Nova Scotia with English inhabitants is of very great consequence to H.M.'s interest in America and to the interest of this kingdom from its situation with regard to the French and from the fishery now carried on at Canso and the several branches of naval stores that province is capable of producing when once it shall be settled, as we have several times represented to H.M. and to you, particularly in our report of 7 June 1727; and therefore we think it very much for H.M.'s service to give all possible encouragement to any undertaking for this purpose especially when attended with so great an appearance and probability of success as that of Mr. Coram's. *Entry. Signatories*, Fitzwalter, Thomas Pelham, M. Bladen, R. Plumer. 5 pp. [C.O. 218, 2, pp. 337-341.]

247

April 22.  
Whitehall.

Alured Popple to Governor Gabriel Johnston. Since my Lords Commissioners' letter of 11 November last they have received yours of 15 October preceding and Mr. McCulloh your agent has laid before them the several papers you mention to be enclosed in your said letter except the estimate of the charge of running the division line between your province and South Carolina. As mistakes of this sort may frequently happen from your sending part only of the papers you intend for the consideration of my lords in your letter to them and the remainder of them to your agent, I am to desire that you will for the future constantly send with the letter to their lordships such papers as are therein mentioned to be enclosed.

My lords have considered what you wrote concerning the blank patents and although they may generally approve of your sentiments upon the subject yet as the case of these patents as drawn up by yourself now lies before H.M.'s Attorney- and Solicitor-General, they do not think proper to send you any directions concerning the said patents until they shall have received their opinion in point of law upon this subject, which is soon expected; in the meantime I am commanded to send you enclosed the copy of Mr. Burrington's answer to your state of the blank patents for your observations, which likewise lies before the Attorney- and Solicitor-General.

The next part of your letter relates to the payment of quitrents upon which you desire directions as to your continuing to receive them in proclamation money instead of commodities which the inhabitants are desirous of paying them in. Upon this subject you have full directions in your instructions and my lords do not see that you can want any explanation of them. The quitrent which by your instructions you are directed to reserve is 4s. proclamation money for every 100 acres. But as you have mentioned the receipt of 4200l. sterling on account of arrears of quitrent my lords desire to know in what specie that sum was paid. With regard to the collection of these quitrents their lordships observe that you have proposed the appointment of sheriffs and desire you may have directions whether such officers may not be appointed by a law to be passed for that purpose wherein some equivalent may be made to the provost marshal, and these

sheriffs to be appointed collectors of the quitrent. Upon this subject and the other difficulties mentioned in your letters of 15 October and 29 November last my lords have not as yet sufficiently considered to return you a particular answer. They see no objection to your getting an Act or Acts passed for remedying the grievances complained of provided you take care that a clause be inserted in such Acts to suspend their execution until the King's pleasure can be known thereupon. My lords have laid the biennial law of your province before H.M. with their reasons for repealing the same and when H.M. shall have come to any determination you will have notice thereof. *Entry. 4 pp. [C.O. 5, 323, fos. 129-130d.]*

248

April 23.  
Georgia Office.

Harman Verelst to Messrs. John Hossack & Co., merchants at Inverness. Last Wednesday the Trustees agreed with the owner of the ship *Two Brothers* to go to Inverness and embark 40 menservants to be shipped within 14 days after her arrival at Inverness for the account of the Trustees. You are requested to employ Archibald MacBean or whom else you think proper to engage them. Those of 20 years and upwards are to serve four years, those under 20 are to serve until they are 24. Their indentures, when they are bound to the person who engages them, must be endorsed by him with his name on the back of that part of the indenture which the servants sign and those parts of their indentures must be delivered to you, which the Trustees desire you would forward by the same ship to Thomas Causton at Savannah who will have instructions for employing them in the public service. Send the Trustees a list of their names and ages. The charge the Trustees pay for engaging them is 20s. sterling for each servant. They allow 1*l.* 5*s.* per servant for clothing and bedding. [*Details given.*] You are to buy for the Trust and send to Mr. Causton for the Highlanders 300 yards of tartan at 12*d.* a yard for short coats and short hose and 1200 yards of tartan at 14*d.* a yard for plaids. You are further to buy 12 spinning wheels with some wool and hemp or flax for the women to be employed in and consign them to Mr. Causton. Mr. Bean was desired by his countrymen and others in Georgia to come to Scotland to engage servants for them which they are to pay the captain for on delivery in Georgia, and the owner in consideration of Mr. Bean's trouble gives him his own passage back and the passage of some servants for himself in proportion to the number he shall engage and ship over and above the 40 to be shipped for the Trustees. *Entry. 1½ pp. [C.O. 5, 667, fos. 16d, 17.]*

249

April 25.  
Bermuda.

Lieut.-Governor John Pitt to Duke of Newcastle. On 25 March last I sent you two Acts with journals of assembly; I now send journals of council. *Signed. 1 p. [C.O. 37, 26, fo. 202.]*

250

April 25.  
Bermuda.

Same, to Charles Delafaye transmitting minutes of council. You will see the treatment I have lately received from the council by the minute of 20 January past in a speech or representation or what they please to call it, to me insinuating as if I had been guilty of some very unanswerable proceedings by their accusing me of setting up new courts, silencing one North a lawyer without due process, and making a fellow an attorney-general who is fit for nothing. The occasion of this is as follows. Mr. Edward Jones about September or October last having a dispute with his master and sailors relating to a voyage then made and the mate arresting the master who was then going to sea, Mr. Jones the owner was his attorney to answer the prosecution; and several of the evidences going to sea, he to secure them had them sworn before me to their several affidavits relating to the affair. When the cause came to issue the judges would not allow the evidences to be good, being sworn before me,



a thing never disputed in any court in these islands that an affidavit taken before H.M.'s lieut.-governor was ever so much as the least hesitated, and several since my government have been allowed though the contrary party was not by, which I cannot find any governor ever had. This I take to be an intrusion on H.M.'s authority, having the affidavits of the clerk of the assizes for 40 years past, the provost marshal general for 30 years past, and of the attorney-general for 40 years, that an affidavit taken before the governor was always allowed good evidence in any cause and has been the constant practice of these islands since their settlement.

As to their other accusation relating to North, he had the impudence in the public court to say those affidavits were privately and clandestinely taken, which I do declare were taken as all oaths are before me, the probits are writ in the secretary's office and the secretary swears the person to them. This occasioned me to send a testimonial to vindicate myself and to order that fellow to be silenced and never act as an attorney in any of the courts of these islands during my administration. It is true the judges had sworn him as an attorney, but what or who he is they know not for he has no testimonial from any Inns of Court or any other place; he is a stroller and has been all over the West Indies and about a year ago came here from Providence; he is a vile, mischievous, impudent fellow and to vindicate myself from his false aspersion I could do no otherwise than show my authority by silencing him.

The next thing they say I have made a fellow an attorney-general that is not fit for anything. I do not tell of his merit but he is the only one that my predecessors or I can find for these 40 years past; his name is Burton and I am sure much the honestest man of the two and is the best acquainted with the laws and customs of these islands and those of England that I think him much the properest person to do H.M. justice in that post.

As to their having a privilege of disposing of civil employments, I conceive it otherwise; I do and have always asked their advice and desired the council to recommend fit persons to me to fill up the vacancies, and at this present time I do not know of any judge or justice of the peace but what is of their recommending. But when I see, for the sake of being their relations or factors or under some other obligations, they will recommend people no way capable (which too often happens) I then think myself the judge to dispose of them as is most to H.M.'s honour and the service of the island without invading or lessening the privilege of the council. They say I would not suffer one Slater to be sworn (very true) for he is a fellow that keeps a punch-house and of a most abandoned character, came here from the Bay of Honduras, and this fellow must be sworn to an affidavit that was utterly false, as Mr. Edward Jones a person of very good character and note offered to prove; but their honours would not allow Jones to swear, neither would I the fellow who I know did not care what he said or swore.

As to their accusations in their speech of a new court set up, it is utterly false. The said Mr. Jones, to vindicate his character from the aspersion laid on him by the grand jury's presentment, the speeches of some of the magistrates and the affidavit of this Slater, petitioned me for a *dedimus* to examine witnesses and to take interrogatories in relation to the crimes laid against him. This I granted as another privilege entirely in myself which never till now was ever so much as named but to be according to the known customs of the place and of H.M.'s lieut.-governor ever since there has been one in the island. I directed it to Richard Jennings, president of the council, and Nathaniel Bascome, one of the judges. The president of the council sat upon it and examined witnesses as has been always usual on those occasions, by which interrogatories Mr. Jones, if it should be necessary, will be able to vindicate himself if he should be obliged to appear before impartial judges. These interrogatories are returned to me according to

my order in the *dedimus*, which is what the council and judges want me to deliver up, that the said Jones may not be the better for all the pains and trouble he has been at; and as those interrogatories are the character that the best men in the island think him deserving of, I think it would be very unjust in me to squash them.

This is what I thought proper to acquaint you with, begging of you, if any complaint should be maliciously lodged, you will prevent any proceedings against me till I have the opportunity of vindicating myself which as I am conscious during the whole time of my government I have studied and done all that lay in my power consistent with the honour of H.M.'s commission to serve them and do my duty, which I shall for all their base and false accusations continue to do. *Signed. 2 pp. [C.O. 37, 26, fols. 200-201.]*

251

April 25.  
Savannah.

Thomas Causton to Trustees for Georgia. On 25 March I received your orders dated 14 January full six weeks after the ship's arrival at Charleston. Mr. Oglethorpe having directed before his departure that the sola bills which should arrive after his going should be applied according to your orders of which he left me a copy, to effect which he directed Messrs. Montaigut & Co. and in failure of them Mr. Jenys of Charleston to receive such bills and enable me to make payments accordingly, I had therefore issued the greatest part of them before your orders came to have them returned. I engaged myself also to Mr. Woodward on account of Mr. Horton before that time agreeable to Mr. Oglethorpe's orders which will appear by Woodward's account when it comes to hand. The want of provisions and the late alarm have kept Mr. Lacey from going to Augusta; there are several houses built and corn planted by those who are to settle there but Mr. Lacey having lately heard that George Summers has really secured some provisions, he is resolved to go immediately into the Cherokee nation and deliver your message. You will find by the enclosed that I began a daily account of occurrences the very day I received your orders for it: I shall think myself very happy if I can anyways contribute to give you a just representation of your affairs in Georgia, having been always very ready to devote my whole time to your service ever since my arrival. One of the tubs of bamboo cane was lost in the passage to Charleston, the remainder arrived but believe are all dead. I delivered the barilla seed to Peirce the gardener with the directions.

I hope I have not erred in giving way to the people's demands for building the walls of the fort. The clamour on that occasion was inexpressible, and having done what was absolutely necessary and answered their first demand, vizt. a place of retreat for the women and children and effects till succour could come, I have positively refused to do anything more to it till you shall give orders, judging that should an attack now happen it might be made defensible in a few hours; and if no attack happened, as you would very probably think it necessary to build a new magazine, the old one being too small and decayed, this might not be an unfit place as well for such an use as also for a general landing of goods, which is now very expensive.

I must repeat my desire that you would give some written directions to the constables and magistrates: to the first with regard to the watch and how they shall answer for neglects, to the latter how to act in judicial matters. In the present circumstances those who would do their duty meet with great discouragements and there is little probability that any law will be duly executed. I find our grand juries do not care to find bills of indictment for selling rum (though fully proved); you will easily see therefore the circumstances I am in as to that particular when in pursuance of that law and your express appointment I shall order any to be staved. I have seen negroes selling goods on the strand in the presence both of Mr. Vanderplank and Mr. Fallowfield and have been forced to drive them away myself though they are the persons appointed as constables



for that purpose. I must further desire your directions to the magistrates what judgment they shall give upon complaints for want of the roads being made and fences not set up and particularly with regard to widows, orphans or absent people whose lands are uncultivated and are not likely to be; also, with regard to the presentment made by the grand jury for clearing the common of logs and brush, whether they may not compel a joint labour and by the common consent of the majority of the people lay a fine on those who shall neglect their parts. As the business of transcribing the daily occurrences and correspondence besides other business is too much for me to attempt myself and necessary to be done by hands I can confide in, I am in want of such persons; and I believe if two expert lads could be sent as they might be under command would be capable under me of answering that purpose. At present I am obliged to William Williamson to do those things which I cannot trust to other people. The particular transactions of the colony to this day so far as they come to my knowledge and copies of all papers to which they relate are herewith sent. *Signed.* 1½ pp. *Endorsed,* Recd., Read 20 July 1737. [C.O. 5, 639, *fos.* 260-261d.]

252

April 27.  
Palace Court.

Minutes of Common Council of Georgia. Read, grant of 500 acres of land to William Stephens and to his third son, Thomas Stephens, with preamble of agreement with William Stephens, to act as secretary for the Trust in Georgia; seal affixed thereto, secretary to countersign the same and sign a memorial of the grant in order to be registered with the auditor of the plantations. Resolved, that the Earl of Egmont, Mr. Vernon, Thomas Tower, Mr. Oglethorpe, Mr. L'Apostre and any of the Common Council who will attend be a committee to prepare Mr. Stephens's instructions, any three to be a quorum; the same committee to prepare a device for the town seal for Savannah.

Resolved, that a town-lot of 50 acres within Savannah be granted to John Warwick. Mr. Stephens was sworn in secretary for the Trust in Georgia. Resolved, that 300 acres of land be granted in trust to be set out at Frederica for raising a maintenance for a minister and schoolmaster there and for other religious uses. Sealed articles with John Pye and Samuel Hurst to be clerks in Georgia; secretary to countersign the same. Resolved, that 40 servants be employed in clearing and cultivating a farm lot of lands reserved for the public to be called Bouverie's Farm in discharge of Sir Jacob Des Bouverie's benefaction for sending over servants to Georgia, which 40 servants at 25*l.* each for all charges will make the expense of 1000*l.* Ordered, that an account of the annual produce of the said lands be kept distinct and entered as the produce of Bouverie's Farm to be applied for the benefit of the colony. Read, a constitution for William Stephens to be secretary for the Trust in Georgia and instructions to him; sealed the same, secretary to countersign. Read, a paper of private instructions to Mr. Stephens; secretary to sign the same. 3 pp. [C.O. 5, 690, pp. 69-71.]

253

April 27.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Rev. Mr. Burton, 10*l.* being the fourth annual payment of a benefactor, to be continued for the term of the benefactor's life but given for five years certain for the endowment of a catechist in Georgia. ½ p. [C.O. 5, 687, p. 14.]

254

April 27.

Grant by the Trustees of Georgia to William Stephens and Thomas Stephens, his third son, of 500 acres of land in Georgia subject to several conditions. *Entry.* 10 pp. [C.O. 5, 670, pp. 312-321.]

**255** Petition of Sebastian Zouberbuhler to the Governor and Council of  
 [April 29.] South Carolina. The petitioner undertakes to bring over 100 Swiss  
 Protestant families in one year, and when this is completed 200 families more; he asks  
 for one year's provisions for the 100 families, that the warrants, plats and grants may be  
 given *gratis*, that the township to be settled shall be shown to the petitioner at the charge  
 of the province, and that he may have liberty of choosing a township on Santee river.  
*Translation. Endorsed, Recd., Read 29 April 1737. 1½ pp. [C.O. 5, 365, fos. 207, 207d,  
 210, 210d.]*

**256** Minutes of Common Council of Georgia. Resolved, that 150 acres of  
 April 29. land be granted to Thomas Upton. Resolved, that a further 5 guineas  
 Palace Court. be given to the person who recovered the survey of the coast of  
 Georgia. [See No. 187.] Read, proposals of John Matthias Kramer, secretary to Count  
 Zinzendorf, to translate some part of the book called *Reasons for Establishing the Colony  
 of Georgia* into High Dutch at the Trust's expense and to engage a number of persons in  
 High Germany to go to Georgia and to conduct them from Worms to Rotterdam at the  
 said persons' expense, and he submits it to the Trustees to give him such allowance as  
 they shall think fit; resolved, that it be referred to committee of correspondence to  
 consider the same and to settle instructions to Mr. Kramer, and to contract with Messrs.  
 Hope for the passage of 60 heads of 12 years of age and upwards to be repaid to the  
 Trust in six weeks after their arrival in Georgia or they be indented to the Trust for  
 servants.

The board considering Capt. Charles Dempsey's memorial setting forth his services  
 in negotiations between Georgia and St. Augustine; resolved, that the thanks of the  
 Trustees and 150*l.* be given to him. Resolved, that 425*l.* be paid to Ald. Heathcote on  
 account. Sola bills to the value of 1500*l.* being sent to be issued by Mr. Oglethorpe  
 which he did not receive before he left Georgia, and by letters from Mr. Causton dated  
 27 January 1736/7 several of them appearing to have been paid away in discharge of  
 certified accounts though there was no endorsement by Mr. Oglethorpe; resolved, that  
 1500*l.* out of the 20,000*l.* granted this session of Parliament be appropriated for the  
 payment of the said sola bills or so many of them as shall happen to have been paid  
 away before the order of 12 January 1736/7 for returning them to England was received,  
 and that after the said 20,000*l.* shall be received and paid into the Bank of England any  
 five of the Common Council be empowered to draw upon the bank for payment of the  
 said sola bills though Mr. Oglethorpe has not signed the endorsements, they being  
 returned with accounts attending them or for value paid to Mr. Causton to account for.  
 Resolved, that until the said 20,000*l.* be received 433*l.* out of the unappropriated money  
 be paid to Mr. Oglethorpe to pay the following of the sola bills: Minis & Salomons,  
 27 January 1736/7, 215*l.*; Capt. Barnes, 27 January 1736/7, 40*l.*; John Brownfield,  
 9 February 1736/7, 178*l.*; and that after the 20,000*l.* is received the said 433*l.* be replaced  
 and Mr. Oglethorpe discharged by the delivery of the said bills to be cancelled.

Read Mr. Causton's letter of advice to Mr. Oglethorpe dated 10 February 1736/7 of  
 drawing bills [see No. 71]; ordered, that the said bills be accepted and paid when due.  
 Read, a proposal from Mr. Zouberbuhler the execution whereof would amount to  
 2032*l.* 10*s.* besides 100*l.* per annum expense to the Trust; resolved, that he be acquainted  
 that the Trustees cannot comply with the said proposal. Received, a bill of exchange  
 dated Savannah, 7 June 1736, drawn by Mr. Oglethorpe for 25*l.* sterling for value  
 received on account of the colony; ordered, that it be accepted and paid when due.  
 David Provoost having transmitted to Rodrigues Pacheco a certified account for 112*l.*  
 18*s.* 11*d.* sterling for provisions delivered in Georgia 1 December 1736 before the 1500*l.*



sola bills arrived in Georgia, and it being observed that some of the said 1500*l.* sola bills might happen to be paid in discharge of the said account, which Mr. Bland the goldsmith offered to secure the Trust from any double payment of; resolved, that on Mr. Bland's giving such security the said account be paid.

Read a letter from Lachlan M'Lachlan and Donald Cameron [see No. 189]; resolved, that the terms which the Trustees have settled for people going to Georgia at their own expense be sent to them. Signed, drafts on the Bank of England for 425*l.* payable to Ald. Heathcote and 433*l.* payable to James Oglethorpe. 8 *pp.* [C.O. 5, 690, *pp.* 72-79.]

257

April 30.  
Whitehall.

Duke of Newcastle to Governor William Mathew, enclosing copies of complaints from France and the States General of unjust seizure of several ships belonging to their subjects. The King having referred the said complaints to the Board of Trade, I send you copies of their representations to H.M. thereupon, by which it appears that you had, without any authority from H.M., given your consent to an Act passed by the assembly of Montserrat for seizing any foreign vessel within a league of any English shore or sailing anywhere within the extent of the government of the Leeward Islands and for confiscating such vessels if any trade with H.M.'s subjects could be proved against them, without inserting a clause to suspend the taking effect of the said Act till H.M.'s pleasure could be known upon it contrary to the tenour of H.M.'s instructions to you; and that you had in their opinion even exceeded in some instances the terms and conditions prescribed by the said Act of Montserrat by causing the French ship *La Fortune* to be condemned without any proof that it had been concerned in clandestine trade. And it appearing also that you had not transmitted any account hither of these your proceedings, H.M. has ordered me to signify to you his high displeasure at your conduct and his commands that you should forthwith send a full account of all that has passed and of the several ships taken by virtue of any authority given by you or in consequence of the said Act of assembly of Montserrat (as well of those ships concerning which any complaint has been made to H.M. as of any other that may have been taken) with the names and value of the said ships and their cargoes and of the place or places where they are and of the persons to whom they may have been consigned. And I am also to signify to you H.M.'s positive commands that you do not suffer any of these ships or any part of their cargoes to be disposed of or converted to any use whatever, but that they may be kept and preserved entire for the benefit of the owners in case H.M. shall think fit to order them to be restored. And if any part of the cargoes shall have been disposed of, it is H.M.'s pleasure that the profits arising thereon should be kept in the same manner till H.M.'s further pleasure shall be signified to you and that you should, if it be necessary, take proper security for the same. I am also to acquaint you with H.M.'s pleasure that you should transmit to me to be laid before the King a particular account of all the vessels that may have been taken from the subjects of any foreign power by your order or appointment or that may have been brought into any of the islands under your government since the time that you have been governor of the Leeward Islands. H.M. expects your ready compliance herewith and that you will with the utmost expedition transmit the accounts required. *Draft.* 5 *pp.* [C.O. 152, 44, *fos.* 102-105*d*; entry in C.O. 324, 37, *pp.* 52-55.]

258

April 30.  
Cape Fear.

Governor Gabriel Johnston to Council of Trade and Plantations. Your letter of 11 November came lately to my hands. There was a full account of what passed between our commissioners and those of South Carolina relating to the boundary line in the minutes of council from 25 March to 25 June 1735, but as you ordered a particular account of that matter I confess I was

in the wrong in neglecting to send an extract from the council books. I have now ordered the commissioners to prepare a draft of what they have done, which I shall transmit to you by the first opportunity. The running of this line is far from being completed. The commissioners were put to great charges and endured vast fatigues. Our assembly refuse to pay them anything and are very positive it ought to be done at the charge of the crown. The manner of running it is agreed upon by both colonies but it cannot be put in execution until it is determined who are to pay the commissioners.

It is a great misfortune to everybody concerned in the government here that the Attorney-General has not after so many years made his report concerning our laws. If they are found to be good and valid notwithstanding the want of so essential a condition as the approbation of the board of proprietors and the publication of that approbation at the next biennial assembly (which is Mr. Smith's objection and mine), H.M. will have very little to do in this province. For they have taken effectual care to make themselves independent both of the king and the lords proprietors. And as to private property they may rob orphans and cheat strangers and have these laws still on their side. Even now when we have a Court of Exchequer we cannot get justice done to the crown except in such cases where we can proceed by English bill. Every juror is a tenant of the crown and will never find for his landlord. They imagine besides all this that they have a governor and every other officer who will not betray H.M.'s interests in their power. It is only [necessary] as they reckon to send home a number of complaints and, let the charge be never so untrue, improbable and contradictory, they are sure they cannot in this country be at a loss for affidavits in what number they please.

I ask pardon for never having yet sent you an answer to the annual queries transmitted me from your board. Before this time I should have been able to send you some specimens of the finest products of the South of France and Italy, which with a good deal of charge and expense I have begun to raise in this country, but have been pretty much retarded by the opposition and murmurs which all regular governments will meet with in this province unless most vigorously supported from home. I shall, however, soon send a particular answer to these queries and hope to be able at same time to show you of what improvements this country is capable if duly encouraged.

I have heard much from some gentlemen lately come from England of a design to send an independent company into this province: it would be a great happiness to this country if H.M. would be so good as to do it. I am satisfied, until it is done our assembly will never build one sufficient gaol in the province nor put the militia in any tolerable footing; and how government can be maintained or the lives and properties of the subjects preserved where the militia cannot be raised nor the persons of malefactors and debtors secured I leave to your speedy consideration. This is literally the case here and if not soon remedied must have fatal effects. In case such a company is sent here I beg I may have a commission to be captain of it. I should not solicit for it if I was not certain that H.M.'s service cannot be so effectually promoted here by any other person's having it. I must also represent that though I have been now governor of this colony four years and have the name of a salary of 1000*l.* sterling yearly I have not yet been able to command 200*l.* sterling though I have endured a great deal of fatigue and trouble and lived at a very great expense. The currency is at present so very bad that it is impossible out of my salary to procure from England such things as are absolutely necessary for living here with common decency. I must therefore beg you to consider my present mean provision when any proper occasion such as this shall offer. I wish you would also consider what the receiver-general has represented to you as to the exchange of the currency into sterling money. All H.M.'s officers have been great and willing sufferers by it in order to make the payments of the arrears of quitrents more easy to the people, but the



full exchange ought certainly to be taken for the future and it would look best if that was done by your express command. *Signed.* 2½ pp. *Endorsed,* Recd. 19 September, Read 21 September 1737. [C.O. 5, 295, fols. 97-98d.]

259

[? April<sup>1</sup>]

Charles Dempsey to [? Harman Verelst]. The Trustees may think my expenses at St. Augustine somewhat extraordinary but they must consider that all things there are at a most extravagant rate by reason they have nothing but what goes from the English colonies: flour is from 40-45s. sterling per barrel, butter 11¼d. and sometimes 15d. per pound, cheese ditto, salt beef and pork the same, candles 15d. per pound, wine 3s. 9d. per bottle, a fowl 5s. and often 7s. 6d., all fresh meat and fish in proportion. There is there no furnished lodgings, so was obliged to take a house. The launch's hire going over the bar 40 pieces-of-eight, coming back the same. In fine, sir, a common soldier has half a crown a day, a trooper 3s. and yet are starving half the year. I was obliged besides all this to apply a great deal of money for intelligence to all sorts of ranks and to generously gratify the persons that conveyed my letters unknown to the governor to Mr. Oglethorpe. When first I went to St. Augustine I had Major Richards and seven more persons to maintain until wind and weather permitted their return. The Major came back with Mr. Horton and their servants and lived with me until I made up that breach which you have undoubtedly heard of, and returned with them Don Pedro Lamberto Rotinello and Don Manuel Gonsales de Arcy. Mr. Oglethorpe thought fit to send me back with the Spaniards to St. Augustine where I remained very ill as well as uneasy at the arrival of a detachment of 180 men from Havana; in that occasion I employed all<sup>2</sup> . . . left no stone unturned to bring the<sup>3</sup> . . . Mr. Oglethorpe's instructions to an accommodation, which succeeded as by him ordered. For I came back again to Frederica with Don Antonio de Arredondo, Don Juan de Castilia, both officers of the garrison of Havana, the first engineer-in-chief of that place, who brought a letter from Don Juan Francisco Guemes y Horcasitas, governor of Havana and captain-general of Cuba; with them came also the governor and captain-general of Florida the same Don Manuel Gonsales de Arcy. Some days after the return of these gentlemen to St. Augustine, on a letter Mr. Oglethorpe received from Don Francisco del Moral Sanchez y Villegas, governor of St. Augustine and captain-general of Florida, he was pleased to send me with final instructions there which I executed to his satisfaction as he was pleased to tell me. You must remark, sir, that from 22 February until my coming back to Europe I was always going and coming to and from St. Augustine or there. I shall not take up your time with the rehearsal of the several dangers I went through but must tell you that I am too much a man of honour and too well-born to misapply any of the trust money, in so much that I neglected entirely my own affairs to do their's. *Signed.* 2 pp. [C.O. 5, 639, fo. 193, 193d.]

260

May 2.  
Savannah.

John Brownfield to Trustees for Georgia, enclosing list of the lots and improvements in Wilmington tithing, Derby ward, with remarks and likewise copies of several leases which are referred to in the said list. I shall proceed after the same manner with respect to all this township and intend to transmit such lists and papers to you as fast as they are finished. If my method is defective I hope you will set me right.

Some time since I saw an English newspaper by which the colony of Georgia was represented in a very unjust though glaring light; and finding it nowhere contradicted

<sup>1</sup> *Egmont Diary*, II, 395; *Georgia Records*, II, 194.

<sup>2</sup> MS. torn.

I supposed you had permitted (if not ordered) the paragraph to be inserted. It does not at all become me to censure your proceedings and I believe that what I am going to say will not be understood in that sense. I rather hope you will judge of it as coming from one who by the injunctions you have laid upon him is under the strictest obligations to write truth. I have not the above-mentioned newspaper by me and it is upwards of a month since I read it, but yet I think I may safely venture to charge my memory with the following particulars. 'Three townships have been settled in Georgia the last year, viz. Frederica, Darien and Augusta'. Whereas the persons appointed to settle at the place designed for Augusta are still in Savannah: they are preparing to go up thither and may probably set out next week. 'Trade is like to flourish in Georgia'. I cannot conceive how it should till some product is raised or (at least) till the inhabitants of Georgia are able to maintain themselves in food, which they fall very short of at present. Indeed if cash was plenty amongst the people they might propagate a trade for some time notwithstanding the want of a product. But it may be said that the colony already produces lumber. However this is saying nothing unless we could supply the West Indies as cheap as our neighbours can, and that I believe we shall never do unless greater numbers of servants are sent over and those more fit for labour than the generality of ours are. It may also be said that the Indian trade is fixed here, but the province has received very little benefit from it, nor can receive more till we are able to furnish the traders with goods. This we have never yet done but in a weak and imperfect manner for want of proper sorts and quantities from England; and therefore the Indian trade is carried from us to Carolina.

'Several vessels have loaded from Savannah'. This gives mankind a great chimerical idea of our improvements. It is certain that two or three vessels have been loaded from hence and Mr. Williams who furnished lumber for that purpose can best inform you how much he lost by paying demurrage for two vessels which lay in our river whilst great part of the stuff was sawed. The loading vessels from Georgia with lumber is no proof of the improvement of this colony because a few pair of sawyers may do the same from any uncultivated woody part of America. I believe Mr. Lacy of Thunderbolt has furnished more sawed stuff for exportation than all the inhabitants of Georgia besides; his land bears excellent timber and lays very convenient for water carriage. He has 10 or 12 servants most of whom have proved good, but the greatest part of them will be out of their time this summer; and how can his improvements continue (I will not say increase) if he has not other men in their stead? This will not be Mr. Lacy's case only, but that of several people besides. 'And gentlemen are settled throughout the colony at their own expense'. No one can deny the truth of gentlemen's being settled in different parts of this province. But I believe upon examination it will be found that very few of them can subsist independent of your support any more than some of the freeholders. An instance of this may be seen in the Scottish gentlemen named Sterlings, who have left their plantation upon Ogeeche River and taken a house in Savannah.

I have thus briefly mentioned to you the true state of this province with respect to the particulars above-mentioned and am not in the least doubtful of your finding every just report concerning the same agreeable to what I have here written. If the before-mentioned paragraph was sent from hence (as I think there is great reason to believe) it must be written by some person who was willing to insinuate himself into your good opinion by representing the colony in an agreeable rather than a just light, but what such men can propose to themselves from deceiving you I am utterly a stranger to. Without dispute every man who has an interest here would be willing to see the colony fully peopled and in a flourishing condition. But the way to bring those great ends about is not by deceiving mankind with false accounts of the place and its improvements.



Such proceedings may delude the ignorant but men of sense will suspect a fraud from them. The extravagant representations which some unthinking people have made in favour of this settlement were more hurtful to it than the scandalous reports of all the opposite party; for every untruth which is detected in the latter cannot but redound to the credit of Georgia whereas the least falsity on the other side must turn to its shame.

I cannot help thinking that I discharge my duty better by acquainting you with the real state of affairs here than I should do by making encomiums on the place which will not admit of one half the fine things that are frequently said. Nor does it deserve the aspersions that are thrown on it. I ought not to say that Georgia is now a place of great trade abounding with many improvements, but it may in time very well deserve that name. In my belief the colony was never yet so low as at this time. The necessities of the people are so very open that every stranger who comes hither must see them in the most plain undeniable manner. Public credit is indeed at a stand since your storekeeper has not cash to pay even the poor workmen who laboured on the fort. Your magazine has been a considerable time out of provisions and now I am afraid there is not a piece of meat left. The people's wants are so great that if a boat should come with provisions hither I believe the whole town could not purchase it, and I wish that hunger may not bring distempers amongst us more fatal than the sword of an enemy. Some of our best workmen are beginning to leave the place in order to get employment in Carolina and by that means prevent their families from starving.

These are truths too severely felt to admit of any softening and it would be unpardonably base at this crisis to disguise our indigency or conceal it from you who only ought to be acquainted with it. If such great improvements have been made here and the colony is so flourishing as our public papers would persuade us, how comes this general want? Oh, may those who sent you that soothing paragraph feel the effects of it with us and not like wretches abandon a place which they have bestowed such fine speeches on. The fort is now left unfinished though abundance of time has been bestowed on it and the wood work is almost done; but there are no guns mounted nor is any trench dug round it. So that the place which was intended for our security against an enemy may now be made use of by the foe against us. *Signed.* 3¼ pp. [C.O. 5, 639, fos. 271-272d; duplicates at fos. 279-280d and 345-346d; the last is endorsed, Recd. 21 September 1737.]

**261** Petition of Joshua Sacheverell in behalf of himself and others to the  
[May 3.] Council of Trade and Plantations, praying that they may be heard on the subject of their petition for a grant of land in Nova Scotia. [See No. 201 i.] 1 p. *Endorsed*, Recd., Read 3 May 1737. [C.O. 217, 7, fos. 223-224d.]

**262** Elisha Dobree to Trustees for Georgia. In our present circumstances  
[May 3.] there seems to be a dark cloud over us and most of our people are cast down at the thought of what they expect to be. I do all I can to strengthen the faint-hearts and those knees that are weak, to keep well and make them walk and I hope my endeavour will not be in vain. You may easily know that when people are driven to poverty, distress or expectations of etc. they will drink when they can get it to keep up their courage, for we always have observed that the people in England will either be quite forlorn without hopes or mad with liquor. Now to bring them to a proper medium would be to give them sound and strong reasons to hope for better times and by degrees to humour them with proper notions such as are the most useful to them. You may think what you please of me and though I have been obliged to drink both with the Darien and our people here I hope you will not be displeased with what I shall now say:

that I hope you will endeavour to give greater encouragement for people to come here. Those at Purrysburgh do exceeding well there, and without negroes and something of the Carolina way we shall not do well here. Those that have experience are the best judges. We will endeavour to cultivate yearly cotton, and for which we are offered ready money by Mr. Ellis of Philadelphia: that and hogs (fish we have plenty) will be the staple commodity of this place, the next will be vines for which we have no plants, which we desire you would oblige us with what you can. I have no spare time to stay till to-morrow to write you in a sober way for our people are almost mad and I am obliged to drink with them in order to keep them up. Let me say only this, whether you will lose this colony for want of provisions or will you not support a people who are willing to support themselves by the help of those who have the power to help them. I am afraid of a mutiny and therefore am obliged to leave off. *Signed*. PS. I beg you would do something for my family and enable them to come here. I would not desire them to be here if I thought it would not be good for them. In all places we must meet with trouble and this world with its attendants has been and will always be a troublesome place, but we must endeavour to make it the best we can. I once more beg you would give all due encouragement to those that are industrious and endeavour to strive. I hope our labour will not be in vain and that you will, if you see that we are industrious, endeavour to help and forward us in so good and laudable undertaking. If people desire to be encouraged it is those that are the most industrious and I will venture to hope you will not discourage them. PPS. Since the above we are resolved to stay here as long as possible if you will please not to see us want. E.D. 2 *pp*. *Endorsed*, Recd. 3 May 1737. [C.O. 5, 639, *fos*. 178-179*d*.]

263

May 4.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 10*l*. paid in last board by Mr. Burton. Mr. Paris reported that the Council of Trade and Plantations have appointed 12th inst. for hearing the complaints of South Carolina against Georgia and of the Trustees against South Carolina. 1 *p*. [C.O. 5, 687, *p*. 15.]

264

May 4.  
Whitehall.

Alured Popple to Francis Fane enclosing six Acts passed in Barbados in 1736 and 1737 for his opinion thereon in point of law, vizt. Acts for further provision for the President's table; for encouraging Thomas Sainthill in his projection of a machine for skinning coffee; for better ascertaining the gauge and tare of cask; to prevent export of clay; to remedy hardships by fore-stallers, ingrossers and regrators; to enable assignees of debts to commence suits. *Entry*. 2½ *pp*. [C.O. 29, 16, *pp*. 64-66.]

265

May 4.  
Georgia Office.

Benjamin Martyn to Thomas Causton. The trustees named in the trust-grant are to put the bearer, John Warwick, in possession of a town lot in Savannah. If none is vacant, they must give him 50 acres in the most convenient part of the province nearest to Savannah. *Entry*. ½ *p*. [C.O. 5, 667, *fo*. 16.]

266

May 5.  
Whitehall.

Order of Committee of Privy Council for Plantation Affairs, referring the following to Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*. 1 *p*. *Endorsed*, Recd. 18 May, Read 24 May 1737. *Enclosed*,

266. i. Petition of Alexander Skene and James Abercromby to the King, 19 April 1737. Petitioners were commissioned by the late governor of South Carolina to settle the boundary between North and South Carolina, which after many con-



ferences was, through the friendly interposition of Governor Johnston of North Carolina, finally performed. The government of South Carolina thereupon appointed the petitioners to run a line pursuant to the articles agreed and to mark trees, the better to ascertain the boundary and to remove disputes that might otherwise arise in collecting taxes and quitrents. Petitioners made provision for the expedition in men and horses, with great expense to themselves. They proceeded to the mouth of Cape Fear river and continued for the space of seven weeks with extraordinary fatigue running the said line, most of that time through desert and uninhabited woods, in many places absolutely impassible until cleared; added to this many large and rapid rivers had to be passed by the assistance only of large trees cut down and dug for that purpose. The lieut.-governor and council of South Carolina, thinking an allowance of one guinea per day for each of the petitioners reasonable for their fatigue and personal services, their expenses in provisions, attendants and horses, allowed them besides, the whole amounting to about 300*l.*, laid the same before the lower house of assembly; but notwithstanding many applications could procure only about 50*l.* for the whole, which did scarce more than make amends for the horses lost in the several expeditions. The governor having no fund at his disposal to satisfy petitioners, they are without relief and ask for directions that they may be given full satisfaction. *Copy.* 2½ pp. [C.O. 5, 365, fos. 211-214d.]

267

May 5.  
Whitchall.

Same, (1) referring to the Council of Trade and Plantations Lord Baltimore's petition; (2) referring back to the Council of Trade and Plantations in the light of Lord Baltimore's petition their report on the representation of John, Thomas and Richard Penn recommending George Thomas to be deputy or lieut.-governor of Pennsylvania and the three lower counties of Newcastle, Kent and Sussex, for reconsideration; (3) referring to Council of Trade and Plantations a petition of the president, council and assembly of Pennsylvania relating to a boundary dispute with Maryland and complaining of several acts of violence together with Lord Baltimore's answer thereto. *Signed*, W. Sharpe. *Seal.* 2½ pp. *Endorsed*, (1) The petition from the president and council of Pennsylvania with Lord Baltimore's answer and with nine other papers were returned with the Board's report of 3 June 1737. (2) Recd. 11 May, Read 12 May 1737. *Enclosed*,

267. i. Petition of Charles, Lord Baltimore, to the King. The three lower counties, Newcastle, Kent and Sussex, are properly part of Maryland but since King James II's time have been governed by the governor of Pennsylvania. The people of Pennsylvania have surveyed and settled lands in Maryland contrary to an agreement made in 1723. An agreement in 1732 to settle the boundaries lapsed through non-performance. Being fully convinced that it was to no purpose to make further treaties with the Penns, the petitioner sought royal confirmation of his title to the three lower counties. The Penns thereupon began a suit in Chancery now depending claiming that the agreement of 1732 was still in force. Last November a sheriff of Pennsylvania entered Maryland with 40 armed men to arrest Capt. Cresap and burned down his house, murdering, wounding or carrying off the inhabitants. The governors of Pennsylvania make a constant practice of taking up inhabitants of the three counties to Philadelphia to be tried in the courts there notwithstanding the counties have a separate legislature from Pennsylvania and ought to be subject only to their own laws.

The proprietors of Pennsylvania have lately petitioned for royal approval of George Thomas as deputy or lieut.-governor of Pennsylvania and the three counties. Petitioner prays that no one shall be appointed governor over the three counties on

the recommendation of the proprietors of Pennsylvania but that till the dispute is settled an indifferent person be appointed or at least that if Thomas is to be governor of the three counties he shall be appointed by royal commission directly, that all matters arising in those counties be triable there and not in Pennsylvania, and that directions be given to prevent disturbances or molestations. *Copy. 7 pp. Endorsed, Recd. with the reference from the Lords of the Committee of Council dated 5 May. Recd. 11 May, Read 12 May 1737. [C.O. 5, 1268, fols. 282-287d.]*

268

May 5.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. We have considered Mr. Zouberbuhler's petition referred to us by your order of 26 January last. We have been several times attended by Mr.

Zouberbuhler and he has produced the extract of his proposals to the lieut.-governor and council of South Carolina by which it appears that in 1735 he proposed to bring over 100 Protestant Swiss families and desired that one year's provision with the necessary cattle and tools might be allowed to the said families at their arrival as was granted to the people transported by Col. Purry. He further desired that the warrants, plots and grants might be given to his people gratis, that the township on which his people were to be settled might be shown to him at the charge of the province, and that he might have the liberty of choosing a township on Santee River. He likewise promised to bring over 200 families more without charge to the province when the first 100 should be settled and able to subsist from their own product.

After having spent some time in viewing several places in consequence of this petition and having been taken ill, he found it impossible for him to transport to Carolina the said 100 families in the time he at first proposed and therefore in July 1736 he again presented a petition to the lieut.-governor and council explaining some parts of his former petition and praying that lands might be set out and reserved for 100 families of foreign Protestants which he was willing to import and settle in South Carolina provided that one year's provision and a proportion of cattle and tools should be allowed them at their arrival. And it appeared to us by an authentic copy of a minute of council of 17 July 1736 that the council granted the prayer of this petition, allotted the township of New Windsor formerly called Old Savannah upon the Savannah river for the reception of the said 100 families, and limited the time in which Mr. Zouberbuhler was to fulfil the terms of his petition to October next.

Some accidents which happened in Mr. Zouberbuhler's passage to England having, as he represents to us, occasioned the loss of so much time that it will be impossible for him to comply with the terms of his agreement in which, should he fail, the lands now reserved for the settlement of his people might be granted to others, he desires that the time wherein he is to make the proposed settlement may be prolonged for two years from October next and that the 48,000 acres of land which he has petitioned for as an encouragement for his service may be set out before 1st October next and that he may possess them free from quitrents for the first 10 years, at the expiration of which he is willing to pay the quitrents reserved by H.M.'s instructions of 4s. proclamation money for every 100 acres. He has likewise desired that the governor of South Carolina may be directed to recommend it to the assembly that when he shall have introduced the 100 families mentioned in his petition he may be allowed 2800*l.* Carolina currency as was allowed to Col. Purry in the like case.

As 100 families is an unlimited number we have desired Mr. Zouberbuhler to fix what number of persons he means thereby, and he informs us that he is willing to introduce the same number of persons Col. Purry did, vizt. 600 including 50 families which he affirms are already arrived there on his account in the space of two years from



1 October next provided H.M. will grant him 48,000 acres of land free from quitrent for 10 years and a recommendation to the assembly for 2800*l.* Carolina currency as mentioned in his petition.

As the safety of this province does only consist in the number of its inhabitants and as Mr. Zouberbuhler has offered to introduce in much less time the same number of persons Col. Purry did, we do not see any objection why H.M. may not grant the prayer of his petition except with regard to the 2800*l.* he prays for, provided the land in question be not already granted to any other persons. And if you shall be of the same opinion we propose: that the commander-in-chief of Carolina may be instructed that the township of New Windsor may be reserved for two years to commence from October next for the settlement only of such persons as shall be introduced by Mr. Zouberbuhler; that the 48,000 acres of land petitioned for by him may be set out as he desires, one half within the six miles to be reserved round the said township for the use of its inhabitants and the other half contiguous thereto but that no more of the said 48,000 acres be given to him before the completion of his proposals than in proportion to the number of persons he shall from time to time import. *Entry. Signatories*, M. Bladen, Richard Plumer, Orlando Bridgeman, Arthur Croft. 7½ *pp.* [*C.O.* 5, 401, *pp.* 209–216; draft in *C.O.* 5, 381, *fols.* 240–245*d.*]

269

May 5.  
Georgia Office.

Harman Verelst to Thomas Causton. The 29th of last month the Trustees received your letter of 10 February 1736/7 with the copies therewith and much approved of your answer to Lieut.-Governor Broughton's letter. On 3rd inst. they received your letter of 24 February 1736/7 with the copies and list of the tithings therewith enclosed. Your reasons for not sending into the Indian nation to invite the Indians down at this juncture are very well stated and very just and the Trustees are fully satisfied with your endeavours for the public safety. They have ordered the payment of those bills you drew on Mr. Oglethorpe after having heard your letter read for what they were drawn. The Trustees hope that the Spaniards' designs will not be executed but defeated by the early notice, the stationed ships and the people's courage, crowned with the Almighty Protection who has hitherto preserved so many embarkations and the colony itself from the many alarms it has heretofore been under. *Entry. PS.* Mr. Oglethorpe would have written to you but he is so much hurried he could not. Samuel Lacy's wife and family come by Capt. Coe. Let Mr. Lacy know it that he may fetch his wife from Charleston. He is to repay you the 15*l.* for their passage, the 10*l.* advanced her by his desire, and 2*l.* 2*s.* more on her going on board yesterday. ½ *p.* [*C.O.* 5, 667, *fo.* 16.]

270

May 6.  
Augsburg.

Extract of letter from Rev. Samuel Urlsperger to Henry Newman. By yours of 1 February and the enclosed copy from Mr. Martin I observe that the Trustees can send no more Salzburghers to Georgia at present and that the Society is not able to engage themselves for a new transport and therefore they acquainted me with the resolution that once for all they would send to me 40*l.* sterling to be employed for the service of the Salzburghers as in their letter to me directed. Although the Salzburghers in Ebenezer wish very much for a new transport of 100 persons and that the number of 300 might be near completed especially to the end that they might have more single women to marry, yet because of the resolution for reasons mentioned we ought to acquiesce in hopes that when God pleases to send more money the Trustees as well as the Society will resolve upon a new transport. I wish very much the Trustees had answered something in favour of the succession of the female sex concerning the lands. And I beg if the Society approves of it to recommend

it earnestly for my sake again to the Trustees. I beg the Trustees that are members of the Society to return my thanks to the whole body of Trustees for all their favours hitherto shown to the Salzburgh emigrants and to give me leave to intercede still for them that they may be provided with all spiritual and temporal necessities and be looked upon constantly as children of our heavenly father exiled from their temporal habitation, according to my promise given in the name of the Trustees and the Society to all three transports, the one as well as the other; likewise that the third transport may live with the two former in one town and share alike with them as they have been promised here; and that the two first transports may still remain particular objects of extraordinary pity and charity in every respect as their faithful and (as I hope) approved ministers, Mr. Bolzius and Mr. Gronau, by their letters have acquainted the Trustees and the Society with their urgent necessities and will do for the future as occasion requires. Reading lately in the newspapers that the Parliament has allowed 20,000*l.* anew for the benefit of Georgia I was so much the more glad of it because I certainly believe that my Salzburgh children at Ebenezer will partake of it; and if they get some of it, which I doubt not, it will bring a blessing upon all other colonists since they and their ministers do earnestly pray for the colony and for the Trustees and God's word doth not lie which says 'The fervent prayers of a righteous man availeth much'. *Copy*, examined by Henry Newman. 2½ *pp.* [C.O. 5, 639, *fos.* 348-349.]

**271** Petition of William Shirley to the King in same terms as No. 60. 2 *pp.*  
[May 6.] *Endorsed*, (i) Referred to Council of Trade and Plantations, Whitehall  
6 May 1737, Holles Newcastle. (ii) Recd., 13 May, Read 17 May 1737. *Enclosed*,

271. i. William Shirley's commission to be advocate-general in the vice-admiralty courts of the provinces named in No. 60 above. 26 September 1733. *Copy. Signatories*, Samuel Hill, register, William Browne, deputy register, John Drake, clerk to Mr. Paris. 2 *pp.* *Endorsed*, Recd. from Mr. Paris, Read 18 May 1737. [C.O. 5, 879, *fos.* 146-149*d.*]

**272** Minutes of meeting of Trustees for Georgia. Mr. Paris attended with  
May 7. the Trustees' representation to the Committee of Council on the  
Palace Court. petition of Sarah Watson as settled by the Attorney-General, which  
was read. Resolved, that Mr. Paris procure the Attorney-General's opinion whether by  
this representation the Trustees subject themselves either in this or any future complaints from Georgia to be considered as parties to such complaints, and whether this representation from the Trustees is introductive of the admitting appeals in criminal cases from Georgia. 1 *p.* [C.O. 5, 687, *p.* 16.]

**273<sup>1</sup>** William Horton to Thomas Causton. I should think myself guilty of  
May 7. a crime which I abhor, that is ingratitude, if I do not always acknowledge the great friendship you have shown me in your last letter. My  
Frederica. life for two months past has been a continued scene of uneasiness and every stranger that has been here must think of this place just in the light that Martin represented it. It is certain that some of the freeholders have threatened to nail up the guns, to seize the periaguas, to put the storekeepers in chains; nor has one day scarcely passed in which both Mr. Auspurgur and myself have met with the greatest abuses.

In a former letter I told you in how friendly a manner Capt. Gascoigne had behaved towards the inhabitants of this town in offering a supply of four months' provisions in case the communication between you and us should be cut off or upon any other

<sup>1</sup> Sent by T. Causton to Trustees for Georgia and read 24 November 1737. (*Egmont Diary*, II, *p.* 449.)



occasion whatever to assist us to the utmost of his power, for which he has been very heartily abused, even threatened to be knocked down as he was going into his boat. Upon a letter which I received from Capt. Gascoigne soon after the first accounts you sent us of the Spaniards' intentions, telling me he could not be ready to sail till I could supply him with a periagua or some large boat to carry off his provisions, I asked Mr. Lawley if his boat could be spared (no other boat of any kind being here at that time). He told [me<sup>1</sup>] he had no use for her but was ready to go in her himself upon any service that I should think proper [to<sup>1</sup>] send her: upon which I ordered her down to Capt. Gascoigne where after he had used her but two [days<sup>1</sup>] she was caulked and refitted, new oars put into her and sent up again to this place, for which I have had a great deal of Billingsgate language from Mr. Wilson and his wife and was the only motive I could find out why Mr. Hawkins would call a court. He was prevented in his first design by Mr. Delegal ordering him down to the fort to attend one of his men but on 25th of last month whilst [I<sup>1</sup>] was at Jekyl he called a court which was opened with a charge of felony against me for having stolen Mr. Wilson's boat. Mr. Lawley hearing the charge affirmed he had a half share in the [boat<sup>1</sup>], that he had lent the boat, and at the same time advised Wilson of it; upon which the court pleased not to pass sentence upon me as a felon but am informed ordered the matter to be referred to two men to settle the damages I was to pay.

I was last night informed by a late adherent to Mr. Wesley that letters have been lately sent by him to some of the freeholders here advising them to be steady and abide by what [they<sup>2</sup>] had said of me and to be sure to prove it when called upon. He wrote me word sometime since that he should demand justice from the Trustees against Wm. Horton, Esq., Commander of Frederica. As to what the formal fellow says or writes about me, I despise; but he may gain his ends in keeping this place in a continued scene of uneasiness if his stuff is suffered to pass current among people, many of whom are ready to mutiny without any sacerdotal assistance.

I sent to the magistrates, constables and tithingmen and asked them if any complaint lay before them or what other reasons they had for calling a court at a time when we had reason to expect we should have business enough upon our hands to deal with the Spaniards. They knew [of<sup>1</sup>] no complaints but Mr. Hawkins said he did not doubt but they should have business as well . . . <sup>2</sup> they had at Savannah.

Mr. White informs me that Mr. Hird, Cannon and four or five more of the freeholders intend to go to you to know the reason why they were not better supplied; White asked them what they were in want of, they had 6 lbs. of beef every week and a full allowance of rice instead of corn and molasses in proportion. It appeared Mr. Cannon wanted shoes but could not find one thing more to complain of. The whole allowance of all provisions will be given out in less than six weeks. I therefore will as soon as Capt. Gascoigne returns off his cruise to the southward, which I fancy will be in a week or ten days, wait upon you for one day to show you the accounts of this place and Darien and to be advised in what manner the people are to be supported. They all promise very fair and will I hope perform as well. Capt. Gascoigne had a letter from the Trustees' secretary full of compliments and Mr. Vernon in a letter to his son tells him he will be soon removed into a bigger ship. Stewart has 20 pipes of wine on board and will set out for Savannah to-morrow. Smith is taking in some timber which is to be sent to Mr. Delegal's; when he returns he shall have 20 more put on board him. We have no beef in the store but the cattle are in good order; we have upwards of 20

<sup>1</sup> Edge of MS torn; supplied from *Georgia Records*, Vol. 21, pp. 459-60.

<sup>2</sup> Document torn.

steers fit for killing. I have not had any beef out of the store upwards of three months for my people, I can get enough for myself from Capt. Gascoigne but the scout-boats will want very soon. I know not how to form any judgment of the alarm that happened at Darien. It is certain a shot was fired in the night and that everyone of Mr. Mackintosh's people were within the fort at the time, the sentries affirm they saw seven men, four of whom went under the cover of the bushes one way and three another. Several shots were fired from the fort and one of the Scotsmen told me he believed he wounded one of them. They could not distinguish whether they were white men or Indians. *Copy.* 1½ pp. [C.O. 5, 639, fo. 351, 351d.]

274

May 8.  
Savannah.

William Williamson to [? Harman Verelst]. I should have thanked you earlier for the trouble you took in my behalf before I left England; but finding after my arrival here that you were very much deceived in the account you gave of the state of this province I chose to defer till I had seen a little further into the nature of this place and become better acquainted with men and minds. First, then, in regard to the boy or servant you procured me, he has been of little or no service to me; and as to the employ for which he was intended, clearing of land, you may for the future assure any person who is inclinable to come to this province that the lands are exceeding kind and profitable yet at the same time please remind them that they require not only industry but also strong and able working hands to clear them, which (if not servants) are excessive chargeable here. Had I not known better how to handle a pen than an axe I and my boy might have starved. Further, in regard to the allowances made to me by my friends for provisions and building which (if I mistake not) were calculated by you and said to be such and of the same value with most people's in this province: though the building of the first 40 houses was rated at no more than 20*l.* sterling, they are now reckoned worth much more and no one will build the like under 40*l.* As to provisions, I find them such as the Trustees generally allow to their servants. I have not yet had to make use of either allowance.

I do not repeat these things to upbraid you and I know your intention to keep luxury and idleness out of the colony. If for the future you made a small difference in calculating provisions between master and servant the obligation of the master would be the greater. On asking my sister in London why she had provided me with such ordinary linen, bedding etc., she told me if the linen was finer Mr. Oglethorpe would take it from me; and as to bedding it was as good as the parson had (the last mistake is on the right side for the parson being a strict primitive lies on the ground): I think she said you were her informant. I trouble you with my trifling affairs to enable you to give a more perfect account of this place to others. *Signed.* PS. I beg you send the enclosed to my sister. 1½ pp. [C.O. 5, 639, fo. 353, 353d.]

275

May 9.  
New York.

Lieut.-Governor George Clarke to Council of Trade and Plantations. The assembly, having entered into the consideration of the deficiencies of the revenue, came on 27 April to some resolves, short of the sum, foreign to former practice and very injurious to H.M.'s just authority, which obliged me on 28th of the same month with the unanimous advice of the council to prorogue them to 3 May, the council having before adjourned to the 2nd, and then by the same unanimous advice to dissolve them. The method they took was thus: after having examined the treasurer's accounts and a list of the warrants unpaid that had been drawn on him, and having computed what they supposed would become due on 1 September next, they then mentioned such warrants as they would pay and such sums for future services to 1 September as they thought fit, and then resolved that those and those only



should be paid and ordered a bill to be prepared for that purpose. By those resolves a warrant unpaid to the auditor-general for auditing the treasurer's account from March 1733 to September 1735 amounting to 281*l.* 17*s.* 6¼*d.* is wholly rejected; no provision is made for the clerk and doorkeeper to the council, as they now sit as a distinct house, and but one half of the governor's salary provided for.

These resolves will appear more extraordinary if it be considered that by the King's instructions and by the Revenue Act too, all the money arising by it is to be issued by warrant signed by the governor with advice of the council; for they would now even break through a law of their own making and take upon them to appropriate the revenue by bill, they would deprive H.M. of his just right of having his revenue accounted for to him, and the auditor-general of his fees established above forty years ago and ever since paid, and subject the governor and every officer in the government to dependence on them. This is what they formerly attempted in 1710. But neither Governor Hunter nor the council would submit to any such appropriation, so that the government remained for two or three years without any support. And I do assure you that I will starve ere I give in to things so derogatory to H.M.'s honour and so injurious to his interest and service. The crown officers are already but ill looked on by the people and hardly escape censure in doing their necessary duty; and if ever they should be subjected to the power of the assembly the government will have but little good to expect from their services. I have ordered writs to be issued for a new assembly to meet 15 June. I send you the resolves mentioned.

What the next assembly will do is not at this distance to be guessed at, I hope the best. If they come with dispositions to consult the interest and prosperity of the province, they must come too with resolutions to support H.M.'s government in the like manner that it has hitherto been supported; for I have told them they must go hand in hand; then they may expect from me all things that by H.M.'s instructions I am allowed to grant them. More than that I cannot do. I presume you will be of opinion that if I have anything in my power that I may make use of to bring the assembly to reason, I may do it when I have the opportunity and they give me occasion. On this supposition I beg leave to acquaint you that in 1714 and 1717 two Acts were passed to pay the debts of the government and paper money issued for that purpose. To sink that paper money, the excise on strong liquors was given and appropriated to 1739, at which time the Act expires and there will then be about 20,000*l.* of that money unsunk in the hands of the people and without any fund to sink it. They must therefore give the excise for a considerable number of years more or find some other fund, or the bills will be a dead loss to those who have them. The Act cannot pass without my assent, and I hope that you will think that before I assent to it I may very reasonably insist on their making good the full deficiencies of the present revenue and on their giving a further revenue for a competent number of years. As yet this is a thing unthought of, at least not talked of by the assembly, it being at the distance of two years, and I hope in the meantime they will come to a sense of their duty.

I am now going to Albany to meet the Six Nations, the expense whereof must go out of my own pocket as all my other expenses have and must do, for I have not received a shilling from the treasury since Governor Cosby's death; nor shall I till the deficiencies of the revenue are made good. There is a necessity for my meeting and giving them a large present at this time, both to renew our treaties and to keep them from suffering the French to build a trading house or rather a fort in the Senecas country, which they are now attempting to bring the Six Nations to consent to. I have already sent to forbid them to meet the French emissary on his summons, and to require them to meet me at Albany 21 June. I have the pleasure amidst my distresses to see quiet restored to this

late distracted province and that there is a great appearance that the ensuing elections will be carried on without reviving past animosities and with no other than the usual struggles on such occasions. *Signed.* 3 pp. *Endorsed,* Recd. 29 June, Read 7 September 1737. *Enclosed,*

275. i. Minutes of Council of New York, 28 April and 3 May 1737. *Copy,* certified by Frederick Morris, Deputy Clerk of Council. 1½ pp. *Endorsed,* Recd. 29 June 1737. [C.O. 5, 1059, fols. 24-25d, 27, 27d, 32, 32d.]

276 Duke of Newcastle to Governor Jonathan Belcher. As I am informed that Sir T. Prendergast's suit against Mr. Auchmuty is still depending in the courts at Boston I repeat my request that you countenance the agents of Sir T. Prendergast as far as is consistent within bringing it to a conclusion and assist them towards the recovery of a debt which, as I am informed, has been determined to be due by a decree of the Court of Chancery here. *Draft.* 2 pp. [C.O. 5, 980, fols. 120-121d.]

277 Council of Trade and Plantations to Duke of Newcastle enclosing extract of letter of 25 March last from Governor Pitt desiring leave to come home. *Entry. Signatories,* Fitzwalter, T. Pelham, M. Bladen, R. Plumer. ½ p. [C.O. 38, 8, p. 184; original in C.O. 37, 26, fols. 204-206 with extract from No. 172.]

278 Alured Popple to Francis Fane enclosing five Acts [titles not given] passed in Bermuda in 1735 and 1736 for his opinion thereon in point of law. *Entry.* ½ p. [C.O. 38, 8, p. 184.]

279 Governor Jonathan Belcher to Council of Trade and Plantations, acknowledging letter of 18 February received 22 April, and copy of Order in Council of 9 February regarding the disputed boundaries between Massachusetts and New Hampshire. An assembly of this province is (in conformity to the royal charter) to meet 25 May when I shall lay your letter with the copy of H.M.'s Order in Council before them and carry every particular thereof so far as the same may lie in my power into execution. I am ignorant what direction you have sent to Col. Dunbar with a copy of the Order for him, in case of my absence, to carry the same into execution in New Hampshire although he sent me what he said were copies of a letter from you and of the King's Order; and to show you the sense I have of his sending me those copies, I enclose to you the copy of Col. Dunbar's letter to me with the copy of my answer on that head. The vexatious dispute he has been making from the time of his commission for lieutenant-governor, as to my absence from New Hampshire when at Massachusetts, is lying before the King and on which I am waiting H.M.'s pleasure and shall be glad to receive it. Although I take no regard to the copies from him yet I shall pay the utmost obedience to what you have sent me; and as I find in the King's Order sent me for Massachusetts these words: 'Their lordships beg leave farther to propose that letters be likewise wrote by the said Lords Commissioners for Trade and Plantations to the Governor of the Massachusetts Bay and New Hampshire', and being governor of New Hampshire as well as of Massachusetts, I shall take effectual care that H.M.'s service does not suffer in New Hampshire through Col. Dunbar's hardness in detaining from me your letter with the King's Order. I am further to observe to you that the packet from your office directed on H.M.'s special service to me as governor of Massachusetts was sent me from New Hampshire by Col. Dunbar, which you must think to be very extraordinary that the ship which brought it arrived and belongs here and yet



that the governor's packets must go to New Hampshire (and so be detained from him a week) in order to come to him. This I suppose to be done in the way of his little crafts purely to insult the King's governor and his superior. I am sure you would by no means suffer anything so subversive of order and government that came within your knowledge. It is now about six years ago that I informed you of my having appointed Richard Partridge Esq., of London, and my son, Mr. Belcher, of the Temple, to be my standing agents and to which end they have my commission to act for me jointly and separately. I therefore pray you would give orders that all your letters for the future to me be committed to the care of those gentlemen. *Signed.* 4 small *pp.* *Endorsed,* Recd. 6 July, Read 8 July 1737. *Enclosed,*

279. i. Lieut.-Governor David Dunbar to Governor Belcher; Portsmouth, New Hampshire, 20 April 1737. I have received two packets directed to you as governor of Massachusetts which I am desired to take care that they be delivered by a safe hand. A third packet came with my name upon the direction, I send you a copy of it, and notwithstanding the difference in the superscription from those directed to you in Massachusetts I desire to know whether you yet persist in your being always present here because I may govern myself by your answer before I embark which certainly will be next week. One of the two packets relates to Mr. Greaves of Kingston against whom I am informed there are executions from the court in the County of Essex; a little time or delay may be that poor man's ruin. I am desired to ask your receipt for this and to get an affidavit when and where the other was delivered, wherefore I have desired Mr. Waldo to wait on you or to get a notary public to do it; either will convey any letter from you. PS. Upon receipt of these letters I should have called a council, had not you and they deprived me of my just power. *Copy,* certified by Jonathan Belcher. 1 *p.*

279. ii. Governor Belcher to Lieut.-Governor Dunbar; Boston, 25 April 1737. Mr. Waldo brought me your's of 20th present, and I wish I could omit remarking on your presuming to blot packets with your scrolls directed on H.M.'s especial service to his governor. By what means you intercepted these packets you best know. I assure you I take no notice of the copy of one you have sent me but now demand of you the original if there be such, for you must excuse me from giving any faith to your attestations; but if I should, yet you have nothing to do with packets primarily directed to me for the King's service while I am either at Massachusetts or New Hampshire. Sure you can't be so silly and ignorant as to think the direction on a letter can countermand the royal hand and seal. I heard you had some time since a letter directed to H.E. David Dunbar, Esq., Governor etc., which I suppose you took as a gross affront upon you, though I heard you said upon it you had received a letter worth 600*l.* a year; this I didn't wonder at neither. These little thin artifices you find are not to be practised with me; and why do you worry yourself since I told you years ago that nothing less than the royal hand that gave me my authority should take it from me? And should I be in any other way of thinking I should highly abuse the goodness and honour H.M. does me and justly forfeit the trust he has reposed in me. You say you certainly embark this week; but I'm told the gout has got hold of your toe. I hope you won't let it prevail to stop your (talked of) voyage. I say this because I find in your's to me of December last you were willing I should have hindered it; and I took the main design of your humble complaint to the house of representatives of New Hampshire against the governor to be that they might desire you to stay. Instead of which you doubtless thought them very incomplaisant upon your offer of service saying *If you believe I can do anything to serve your interest in England and will be pleased to tell me wherein, you will find a grateful return from*

me,<sup>1</sup> that they should think you not capable of doing anything to serve their interest which appears in their lean answer *To thank His Honour for his kind offer.*<sup>1</sup> Methinks they might have wished you a good voyage, but perhaps they didn't believe you was going. Yet you have carried the jest so far that I don't see how you can well avoid it. You don't want the province's nor my good wishes for their happy riddance, but I have had so many letters from you in six years past saying you was resolved to *go home, go home,*<sup>1</sup> that I shall not believe it till some vessel tells me they have met you to the eastward of George's. *Copy, certified by Jonathan Belcher. 2 pp. Endorsed, as covering letter. [C.O. 5, 879, fos. 192-198d.]*

280

May 11.  
Boston.

Governor Jonathan Belcher to Alured Popple. The 22nd of last month I received your favour of 19 January last with Samuel Graves of Kingston's petition (or rather complaint) to Lieut.-Governor Dunbar against the King's governor, whom H.M. is pleased in *his instructions to me to call the representative of his royal person.*<sup>1</sup> If that ungrateful fellow had any complaint to make against the King's governor, why did he not address it to the governor's royal master to whom he is undoubtedly accountable for the whole of his administration, but by no means to his inferior officer; and how dare the lieut.-governor take cognizance of such an affair without immediately acquainting me with it? which was most certainly his duty to do, and it might have prevented the fellow's perjuring himself which I assure you he has in that part of his petition wherein he says, *which judgment was stayed by advice or order of H.E. Governor Belcher until such time as the lines might be settled.*<sup>1</sup> The last words in this assertion are absolutely false for I never pretended to put any positive stop to the matter nor to do it at a time so very uncertain as the settlement of the line might be which has been in agitation for above 60 years. Though I was always willing to do this man any kindness I could but well knew it was not in my power to dispense with the law or stop the course of it, *currat lex* being a liberty all Englishmen boast of, nor does the King himself ever interfere with or stop the course of law and justice, but it is one of H.M.'s glories that he rules his people according to the laws of the land.

I also believe what he says the Haverhill men told him to be an absolute falsehood of his own, vizt. *that H.E. Governor Belcher has informed them this summer that the lines would never be settled and therefore they might again proceed with their actions.*<sup>1</sup> The affair of the lines, as above, has been above a 60 years controversy, and for 12 or 15 years past to my knowledge the Lords Commissioners for Trade and Plantations have had the trouble from several governors of many letters about them, and the borderers upon the lines have from year to year conceived hopes that the matter would be brought to a head, and for about seven years past when the people have applied to me I have told them to be patient, and did two or three years ago desire the assembly of this province to come into an order of a *cessat lex* till we might see further about the lines; but the house of representatives would by no means listen to my motion. Upon this the contending parties went again into the law well knowing no order of the governor's could control them. However, upon the application of this Graves I gave him a letter to the sheriff, 19 September 1734, copy whereof I enclose you, as also another letter I gave him at Portsmouth 25 March last to the Justices of the Pleas in Essex County, a copy whereof is also herewith. This was all I could do for this vile fellow that has made me such a return.

What I have said and now enclose I think is a full answer to the second clause of your letter, nor ought anything to be allowed as matter of complaint but what is sup-

<sup>1</sup> Underlined in MS.



ported by good evidences (exclusive of the party). Turning to my letter to their lordships of 13 January 1732/3 will refresh their memories of my great care and concern for the settlement of the lines and for the peace and ease of the borderers; and I shall with great pleasure do every warrantable thing I can to prevent the courts of either of the provinces under my government from intermeddling in the affairs of the other until the lines are settled. But my Lords Commissioners will upon the most mature deliberation say that the King's governor is but one part of the legislature and is neither capable of making or abrogating laws. I verily think Col. Dunbar not only put this man upon making his complaint but drew it for him to breathe out a little of his ill-nature and vengeance at the governor, for ever since he has had his lieut.-governor's commission it has been his manner to be steadily restless and his constant study to make everybody else as much so as he could. *Signed*. PS. In consequence of my letter to the justices the action against Graves is continued to the next court. 5½ small *pp*. *Endorsed*, Recd. 6 July, Read 8 July 1737. *Enclosed*,

280. i. Boston, 19 September 1734; Governor Belcher to Sheriff Marston of Essex County, asking for a stay of execution against Samuel Graves of Kingston. Something material to the boundary controversy is daily expected from England. *Copy*. 1 small *p*.

280. ii. Portsmouth, 25 March 1737; same to Hon. Timothy Lindall to be communicated to the rest of H.M.'s Justices of Pleas for Essex County, enclosing a petition and asking favour for the petitioner. The commissioners to run the line are to meet 1 August next. It would be no great damage to have this matter continued. *Copy*. ½ small *p*. *Endorsed*, as covering letter. [C.O. 5, 879, *fos*. 199-206d.]

## 281

May 11.  
Palace Court.

Minutes of Common Council of Georgia. Resolved, that 50*l*. be paid to Francis Moore in consideration of his acting as storekeeper and clerk to Mr. Oglethorpe from October 1735 to January 1736/7; that 20*l*. be paid to Mrs. Frances Watt out of the rent of her house at Savannah. Read, a letter of Francis Harbin praying for some consideration for his going to Holland to procure servants for the colony; resolved, that 20*l*. be given him in full. Read, memorial of Capt. William Thomson setting forth that, whereas John West of Savannah and Elizabeth, his wife, have nominated him for a grant of the town-lot in Savannah late belonging to Joseph Hughes deceased with the deed of sale annexed, he prays for a grant of the said lot and leave to alienate it; resolved, that John and Elizabeth West have leave to alienate the same to a person duly qualified and recommended by Capt. William Thomson. Resolved, that 2 guineas be lent to Mrs. Elizabeth Stanley to be repaid by her husband in Georgia. Resolved, that the Trustees will give to Mr. Wragg 6 guineas per head for 80 foreign servants to be delivered in Georgia from Rotterdam provided none be under 12 years of age or above 40. Resolved, that 100*l*. be paid to Mr. Paris on account of counsel's fees and charges of the Carolina representation. Resolved, that the charge of the servant sent to James Haselfoot by the *Peter and James*, Capt. Dymond, be paid by the Trust to be repaid by James Haselfoot. Received, certified account from Mr. Causton to Messrs. Minis and Salomons dated 29 December 1736 before the sola bills were received, amounting to 218*l*. 7*s*. 5*d*.; the same was referred to committee of accounts.

Resolved, that 50 acres in Frederica be granted to George Foster who goes at his own expense by Capt. Thomson. Received, a bill of Richard Wilson, gunmaker, for arms amounting to 102*l*. 5*s*. 9*d*.; resolved, the accountant pay the same if he finds it to be true. Resolved, that the remaining 25*l*. of the 50*l*. formerly ordered to Rev. Charles Wesley be paid him here. Ordered, that 250*l*. be paid to Ald. Heathcote on account. Read, a grant of 150 acres of land to Thomas Upton; sealed the same, secretary to

countersign and sign a memorial of the said grant to be registered with the auditor of the plantations. Read, instructions to John Matthias Kramer to engage 60 foreign servants for the colony; sealed the same, secretary to countersign. Resolved, that 10% be given to Mr. Kramer in consideration of his having waited here and his carrying the said instructions into execution. Signed, draft on Bank of England for 250*l*. A proposal being made by Daniel M'Lachlan for engaging 100 Highlanders to go to Georgia and that the Trustees will allow to each manservant carried over by the ten gentlemen mentioned in the said proposal 20 bushels or five Scots bolls of meal and a stand of arms and that the Trustees will defray his charges down to Scotland; resolved, that the Trustees will allow to each manservant carried over by the said ten gentlemen the meal and arms as desired but will not advance any money for the said Daniel M'Lachlan's expenses. 4½ *pp*. [C.O. 5, 690, *pp*. 80-84.]

282

May 11.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Mr. Anderson, 41*l*. 15*s*. 6*d*. at the desire of the Society in Scotland for propagating Christian Knowledge to be remitted to Rev. John McLeod at New Darien. Mr. Paris reported that the Council of Trade and Plantations have deferred hearing the complaints of South Carolina and the Trustees against one another till 19th inst. 1 *p*. [C.O. 5, 687, *p*. 17.]

283

May 11.  
Georgia Office

Benjamin Martyn to Thomas Causton. The Trustees named in the trust-grant are to put the bearer, George Foster, in possession of a 50-acre lot in Frederica. *Entry*. ½ *p*. [C.O. 5, 667, *fo*. 17.]

284

May 11

Instructions by Trustees for Georgia to John Mathias Kramer. You are to acquaint foreigners who apply to you that the Trustees will grant to each man of 21 years of age and upwards who goes to Georgia at his own expense 50 acres of land to himself and heirs male; and to sons of 21 and upwards (except the eldest because he is the heir) the same. To each person whose birth, honour, reputation and ability are approved by them, they will grant 500 acres to himself and heirs male, the gentleman carrying over and maintaining ten menservants, the lands to be marked out within three months of arrival. They will grant to each manservant, on certificate of good behaviour at the end of five years' service, 20 acres of land to himself and heirs male.

If persons apply who cannot pay their own passage and will bind themselves to the Trustees for five years or (if under 20) until the age of 25, you may engage as far as 60 heads. If they can repay their passages any time within six weeks of arrival in Georgia, they will be free, otherwise remain servants as above-mentioned. No family must be divided. Children under six remain with their parents, those of six and above are to serve, if boys, to 25, if girls, to 18. The Trustees' servants will be provided with clothes, food, lodgings and necessaries, and be given, subject to good behaviour, 20 acres of land on conclusion of service. Persons born in Georgia will have all liberties of natural-born subjects within the British dominions. Liberty of conscience is allowed in the worship of God to all and all except Papists shall have free exercise of religion so they be contented with the quiet and peaceable enjoyment of the same, not giving offence or scandal to the government. *Entry*. 2 *pp*. [C.O. 5, 670, *pp*. 369-370.]

285

May 11.

Grant by Trustees of Georgia to Thomas Upton of London, gentleman, of 150 acres of land in Georgia. *Entry*. ¼ *p*. [C.O. 5, 670, *p*. 309.]



**286** Memorandum on the Indians of Georgia. H.M. by the advice of the  
 [May 11.] Privy Council and with the consent of the Trustees for Georgia  
 enacted that no person should go among the Creek or Cherokee or other Indians of  
 Georgia without licence from the Trustees and security for good behaviour. The lieut.-  
 governor of South Carolina was ordered to assist in putting this act in execution. But the  
 lieut.-governor in defiance of this act and of the commands of the crown sent one Wright,  
 who had been transported for felony, on a private message to the Upper Creeks. He  
 persuaded one Opayhatchoo to come down to the governor at Charleston where, besides  
 a public speech which was owned, he gave him private instructions the consequence of  
 which has appeared by the murder committed by Obeauchy upon the Spaniards. Besides  
 which, the lieut.-governor sent up one Childermas Crofts amongst the Creek Indians  
 and ordered those Indians to fall upon the Floridas who are subjects of the Spaniards  
 and with whom they are intermixed. This appears from a letter to the Duke of Newcastle  
 from some of the Carolina merchants, dated Charleston 6 February. In consequence  
 of these proceedings it appears by letters from Charleston dated 5 March that Opayhatchoo  
 the above-named Indian chief with six other Indians fell upon the Floridas, being  
 Indians and Spaniards, and killed one Spaniard, one Indian, one mulatto and one negro.  
 These are the melancholy consequences of the lieut.-governor of South Carolina's  
 refusing to obey H.M.'s orders and intermeddling in a province where he had nothing  
 to do. 1½ pp. *Endorsed*, Recd. from Mr. Oglethorpe, 11 May 1737. [C.O. 5, 654, fos.  
 107-108d.]

**287** Governor William Mathew to Alured Popple, enclosing the following.  
 May 11. The box of papers therein mentioned I have delivered to Capt. Wootton  
 St. Christopher's who will deliver it to you. *Signed*. 1 p. *Endorsed*, Recd. 4 July, Read  
 10 August 1737. *Enclosed*,

287. i. Same to Council of Trade and Plantations, same date and place. Among  
 other papers now transmitted are the following Acts: an Act of Montserrat for  
 raising a poll-tax, this is a usual tax act and requires no explanation; an Act of  
 Montserrat for the further restriction of slaves by prohibiting them from planting  
 indigo, cotton, ginger, coffee or cocoa, and from keeping a public market on Sundays,  
 and for further restraining licentious meetings of negroes. As to the first part, pre-  
 venting negroes planting indigo etc. it is a most reasonable provision as their planting  
 such commodities was not only an injury to the poor but chiefly a cover to hide their  
 robberies and stealing such commodities from those inhabitants, pretending what  
 they stole was of their own produce. The clause of the market I had a petition against,  
 signed by some of the town inhabitants; but it would have been more regular had  
 that petition been presented to one of the Houses before the bill passed, to which  
 the petitioners gave for excuse that, the bill going through the assembly in one day,  
 they had neither notice nor time to prepare and offer such a petition. I found there  
 was a mixture of personal prejudices between the persons that formed the legislature  
 on one side and the petitioners on the other, and therefore without sending thither  
 the petition with the names of the petitioners I rather chose to send to both Houses  
 the reasons alleged by the petitioners and some of my own; and then I called upon  
 the council to advise me as a council whether I should pass this law including the  
 market clause, which they advised me to do. I refer you to the minutes of the council  
 of Montserrat now transmitted. The concluding part of this law, for restraining  
 licentious negroes, has long been wanting, and I imagine the danger Antigua lately  
 has been in occasioned it. The same danger has at last induced Nevis to alter their

old militia laws and make one with common sense in it and with a better regard to the welfare and safety of that poor island than anyone heretofore made. I had long litigated this matter with them in vain, and still (though I have gained by this law almost every point I had proposed and held fast by, resolving to pass no law in the old insignificant forms and for but eight yearly meetings) yet the article of bayonets is thrown out, and I was forced to pass this law or have none at all. I hope hereafter they will judge better for their own preservation: it wants nothing else to make it a very good law.

I come now to three laws of great moment passed by the legislature of Antigua in consequence of the negro rebellion, and I hope the emergency will reconcile you to the share I have had in making them. The first is an Act to attain of high treason two freed negro men named Benjamin Johnson and William *alias* Billy Johnson. When this bill came up to the council from the assembly and had had its first reading, I then made but one observation upon it (and I have fallen into the parliamentary method of leaving entirely to the council all correspondence with the assembly in making of laws as from one House to another, still reserving to myself a negative voice; but if I am present as generally I am and I overhear at the council's reading a bill any clause I cannot agree to, I do not wait to reject the bill after it has passed the assembly and the board but I mention as my private opinion that it will be best such or such matters as clash with my instructions or are quite contrary to my own way of thinking should be altered and I often say how, but still I leave it to themselves to accept my observation or not. Thus I expedite laws that otherwise would be quite lost for want of easy explanations; and if we followed the English parliamentary method of never introducing a same law twice in one session, as our assemblies though for seven years are a continued one session by adjournment not by prorogation, laws though never so necessary and wholesome would be lost for years, and for error it may be in form only). The observation I made was the want of a suspending clause in so extraordinary a law, and I was pretty much pressed in council by arguments against my objection, but I have too lately ventured upon such a breach of my instructions to be guilty of it again, and my positively declaring I would not pass the bill without it occasioned its being sent back to the assembly to be amended with such a clause. The bill had been carried in the lower House very precariously accidental sickness or other avocations had called away two or three members from attending, else the bill had been thrown out there and never come to the council who were almost to unanimity fond of it; and upon sending it back again to the assembly there was danger of its being entirely lost. However, the same members being absent as before, it escaped to the council again but not with the amendment but some scrupulous doubt as from people that were ashamed though not a little willing to give a nay to what they afore had given an affirmative to. When the council got the bill again they dropped the amendment of the suspending clause and called upon me for help. I told them the clause might be left out, but then after the bill had passed both Houses I would not pass it but send it (as I now do) to you to be recommended to H.M. for obtaining his leave for my passing it. And now I think myself bound by my duty to give you a candid, fair sum of the evidence upon which both Houses (but the council especially) were induced to pass this bill. I will not say a word of my own poor opinion on it: I leave all as grounded on the evidence only and the recital of that evidence to you. This puts the whole in a ready way of being determined on by your unerring judgment: the lives of two freeborn subjects depend upon it, I therefore hope you will not disapprove my being very exact though long.



The evidence against Benjamin Johnson given by four of the negro evidences (who as they were all very deeply concerned in the plot could therefore make the best discoveries and whom the justices all along averred to have been very steady in all the informations they gave) does not point out any certain time but only mentions that on some Saturday night or Sunday about six or seven months or longer afore, and they each of them declared here but to a separate fact at a separate time except that two of them aver that on such a Saturday night and Sunday Benjamin Johnson took the oath twice to destroy the Christians, and a third of these evidences only says that Benjamin pledged his brother Billy without saying anything when his brother Billy drank the health to him, and offering himself to attack the town-guard that Benjamin answered Billy that he would be his friend. Another negro evidence says that Benjamin Johnson said that he had thought of going for England to marry but now he hoped to get a white wife here, that Damn them (meaning the Christians) he did not get his freedom from them, Damn them, his mistress gave him his freedom. Another negro evidence said that a wife of Court's and a negro woman went into Benjamin Johnson's with a keg and a box; that she said it was Court's powder; that she seemed afraid of its being found with her, but that Benjamin Johnson replied No matter for that I will say I bought it; that Benjamin Johnson sent to a negro called Parham Cuffy and told him if he was asked by the justices he should not own he had lent his mare to him, Benjamin Johnson, but that it was a long time afore since he lent it him. Several of those executed had declared that both the Johnsons were concerned with them.

White Christian evidence against Benjamin Johnson is Henry Cuyler who says that he sold to Benjamin Johnson (it might be remembered he was a shopkeeper in town) eight cask of gunpowder of about 1 cwt. in the whole. This was about the time the plot broke out; he then and afterwards importuned Johnson to buy more, but he refused. Robert Stevens says that about the time of discovering the plot, when the first negroes were taken up, Benjamin Johnson said in his hearing had he known the plot would have been discovered he would have gone to Barbados and spent 30 or 40 pistoles and would have returned when the plot was over, and that at another time he heard Benjamin Johnson say he was glad he did not go to Barbados that he might stand in defence of the country. Thus upon positive and circumstantial evidence this man is put for the safety of his life upon the hard circumstance of proving where he was for 52 Sundays afore, for that was the time limited to him, so as to acquit himself from having taken the damnation oath. However, among other Christian evidences that he produced for his justification, one positively declares that for eighteen months past he has seen him, Benjamin Johnson, morning and evening every Sunday to the best of his knowledge going to or returning from church; and a second declares upon oath that she verily believes that she has seen him, Benjamin Johnson, every Sunday for twelve months past go to or returning from church; and there was a negro evidence, supported pretty circumstantially by a gentleman of repute in town, to prove that James Hanson, a constable, had been tampering with this negro to contrive an impeachment against Benjamin Johnson, and this gentleman had heard this Hanson declare that he would do Benjamin Johnson an injury if in his power. There was a third evidence of a young man of one of the best families in town that very positively affirmed Benjamin Johnson's constant attendance at church for a year past.

I must now come to Billy Johnson. The evidence against him is much stronger than against his brother, and as there seems to have been great intimacies between them the guilt proved upon Billy seems to be very circumstantial against Benjamin.

The evidence against Billy Johnson is chiefly the same, vizt. negro conspirators, as appeared against Benjamin. There are two positive evidences that at one of the conspirators' feasts he drank the damnation health twice in one day and a single evidence proves his drinking of it a third time at another place. Several of their meetings used to have been at negro funerals: at one of them there is an evidence that proves that in discourse with one Secundy (a most principal conspirator and who was executed) he made use of these words It would be better if we had the country to ourselves. At another funeral an evidence proves he took Court by the hand, declaring aloud to the negroes present that he (Court) was fit to be king. Another evidence proves his drinking the damnation health a fourth time. Another mentions his being at a meeting at John Obia's (a conspirator) where he took the oath again, administered to him by Secundy, where he declared he would find powder, ball and flints, and would be the first (as he lived in town) to attack the town-guard; and at another place he declared that although he always lived very well yet he hoped to live better. White evidence proves that he saw him at one of these feasts. He produced a great many Christian inhabitants, but all he pretended to by them was that in his shopkeeping and dealings he had been punctual and honest. Now I submit to you the success of the bill. I have endeavoured to inform you the best on it I can, though very little able from being hardly recovered from a most dangerous fit of sickness, much less am I able to present it to you under my own handwriting. Heats and colds during the late troubles that often kept me on horseback many hours at all times of the night have brought this on me with the bad circumstance that my limbs are now affected.

The other two Antigua laws relating to this conspiracy I am at last disappointed of and cannot send them now. I must venture a suspension of some of the officers, still hoping to be supported by you. H.M.'s service always suffers from their negligence and want of diligence as well as of obedience; and in the present case the island of Antigua suffers as to one of those laws by this delay. I left them both with the proper officers to have duplicates made of them and immediately transmitted after me: this is a month ago. I since wrote to the lieut.-governor in all speed for them. I have received his answer that he had given his orders and that they would be sent to me; still they are not come.

To the other public papers I now send I can add a transcript of minutes of council of Antigua, 30 April to 27 October 1736, which I have received from the deputy-secretary but the 9th inst. I can now add hereto some further particulars relating to Anguilla, Spanish Town and Tortola in obedience to your commands, but I must get more health before I can complete to send to you the draft of the Virgin Islands I formerly mentioned. In Anguilla John Richardson is deputy-governor, John Harragan, Abraham Chalwell, Richard Richardson and Arthur Hodge are of the council. There are two vacancies by the death of Bazael Rogers and Thomas Howell. There are three divisions in the island to chose three members of the assembly for each, vizt. the Valley division, the Road division, Joanshole division. At Spanish Town, Philip Markoe is deputy-governor, Peter Markoe, John Hodge, Francis Frett and Christopher Burroughs are of the council there. William Penn being dead and John Farrington having quitted, there are two vacancies in the council there. There are but two divisions to choose members of the assembly, vizt. the Valley division to choose six members, and the North and South Sound division to choose three. In Tortola the post of deputy-governor is vacant by the death of Stephen Sills. The council consists of John Pickerring, John Norton, Richard Carty, Peter Turnbull, Alexander Belnaves. There remains one vacancy in the council by William Nanton's being gone to Sta. Cruz to settle. There are three divisions in the island to choose



three assemblymen each, vizt. Fat Hog Bay division, Road division, Sako Bay division. *Signed.* 14 small *pp.*

287. ii. Abstract of preceding. 2 *pp.*

287. iii. Copy of an act to attain of high treason two freed negro men named Benjamin Johnson and William alias Billy Johnson. It appears from evidence taken past all reasonable doubt that Benjamin and Billy Johnson were as deeply engaged in the plot as any of the conspirators. By the laws and practices of this island a slave cannot give evidence against a free man; and yet it appears with all moral certainty they are guilty. They are accordingly hereby convicted and attainted of high treason and are to suffer death, their lands, goods, etc. to be liable for payment of gaol fees and other fees. Passed the assembly 28 February 1736/7, W. Smith, clerk to the assembly. Passed the council 12 April 1737, Edward Gamble, deputy-clerk to the council. 2½ *pp.* *Endorsed*, Recd. 4 July, Read 10 August 1737 and sent to Mr. Fane. [C.O. 152, 23, *fos.* 5-19d.]

288

May 12.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. The beginning of March last I made a journey to New Hampshire where I had ordered an assembly to meet me, and they continued sitting about a month in which time (after an obstinate refusal of other assemblies for six years to supply the treasury) they took effectual care for the payment of the public debts, passed several public and private Acts for the advantage of the province and of particular persons; I enclose authentic copies of all their proceedings under the seal of the province, as also my answer to the queries you sent me as they relate to New Hampshire. I prorogued the assembly there to 6 July next that they might be in a readiness to have laid before them any commands I might receive from H.M. respecting the boundaries betwixt this province and that; and during the session all things were carried on with decency and good order, as I am more and more persuaded they would always have been had the province been so happy as never to have seen Col. Dunbar, who I am perfectly satisfied has been constantly at the bottom of every ill-natured mischievous affair that has happened there. It is said he is to sail this week for London; I wish it may be true that the province and the governor may be rid of one perpetual vexation, for the man loves nothing so much as quarrelling and contention. I think it my duty to enclose to you a proclamation I issued on the occasion of a vile riot committed in this town and of several seditious letters wrote upon it; the management of the mob in pulling down the public market seems to be imitation of the villainous affair of Edinburgh in the case of the unhappy Capt. Porteous. I also cover to you a print where you will see some wicked people are beginning the way of writing anonymous menacing letters for the practice of a new sort of robbery. Upon the appearance of these things I have often wished that there might be an additional Act made to the Riot Act in Great Britain extending to the Plantations. *Signed.* 3½ small *pp.* *Endorsed*, Recd. 6 July, Read 8 July 1737. *Enclosed*,

288. i. *Boston Evening Post*, No. 91, Monday 9 May 1737. *Printed.* 2 *pp.*

288. ii. Proclamation by Governor Belcher of Massachusetts Bay, Boston, 14 April 1737, directing all H.M.'s officers and subjects to give information as to the authorship of three threatening letters, one posted on the door of the Town House of Boston and the others addressed to Edward Winslow, Sheriff of Suffolk County. *Printed.* 1 large *p.* *Endorsed*, as covering letter.

288. iii. Answer of Governor Belcher to queries received from the Council of Trade and Plantations. Portsmouth, New Hampshire, 4 April 1737. (1) The situation of New Hampshire is between what was formerly called the colony of the Massachusetts Bay and the province of Maine, bordering 15 miles in width upon the Atlantic.

The latitude of Portsmouth (the chief town of the province) is 43 degrees 20 minutes north, the longitude 69 degrees 7 minutes west from London, settled by good observation. As to the nature of the country the seashore is rocky, the inland parts mountainous; between the sea and the mountains are hills, plains, meadows and swamps. The soil of all sorts is well adapted to hemp and flax, grass, Indian corn, barley and oats, not so well to wheat by reason of frequent mildews. The climate is healthy, though the winters in some years are very cold and the summers as hot. No Spanish settlement but at a great distance to the westward, the French to the northward and westward on Mississippi and Canada rivers. (2) The reputed boundaries are a line three miles to the northward of Merrimac river and every part thereof on one side, and the province of Maine (now called County of York) on the other, these being the bounds mentioned in all the governors' commissions except the last which mentions no bounds at all; neither do any of the former commissions mention any bounds at the head or at the sea; both the aforementioned boundaries are disputed by Massachusetts. New Hampshire, considered as a province, is but a small strip of land not more than 15 miles wide by the sea and not so big by one-half as some single counties of Massachusetts, without any bounds save on two sides and without any grant from the crown, the right of the inhabitants being mostly by Indian deeds and occupancy.

(3) The constitution of the government is by a commission from the crown to a governor by virtue whereof he convenes general assemblies consisting of a council appointed by H.M. and a house of representatives chosen by the people. The governor, council and representatives make laws which are sent home for H.M.'s approbation or disallowance. There are three courts established by law for administering justice in civil and criminal cases, called a Court of General Quarter Sessions of the Peace, an inferior Court of Common Pleas, and a superior Court of Judicature, from whence lies an appeal to the governor and council in civil actions where the thing in controversy amounts to 100*l.* sterling. The governor, according to his commission and instructions from the king, appoints the justices of the courts, treasurer, secretary, sheriff, king's attorney, coroner and notary public, and all the military officers who hold their commissions under him during pleasure; the justices of the courts appoint their clerks; and the general assembly the recorder of deeds. (4) The trade of the province is by pine lumber and casked dry codfish to the British West Indies for rum, sugar, molasses and cotton wool; by merchantable codfish to Spain, Portugal and Mediterranean; and by building new ships and lading them with oak timber to Great Britain, Spain and Portugal; these last articles being in return for British manufactures. The trade of building ships and loading them with oak has increased something of late but the trade of pine timber is within ten years past decreased at least three-quarters, the trees growing on private property especially those near the seashore being mostly gone. The number of vessels belonging to and trading to and from the province (exclusive of small fishing and coasting vessels) are 8 or 10 amounting to about 800 tons. The number of seafaring men about 70. The trade may have increased within four years past near one-quarter part. (5) The province takes off in British manufactures of all sorts annually upwards of 10,000*l.* sterling, as woollens, haberdashery, ironware, canvas etc. (6) I do not find any trade carried on to foreign plantations unless now and then a vessel to the Portugal islands which brings wines in return for lumber and fish; nor to any part of Europe but to Spain etc. as beforementioned, and the produce of their cargoes is generally remitted to London and the vessels return home with salt. (7) To prevent illegal trade there is a collector appointed from home and a clerk of the Naval Office



appointed by the governor, and when any such trade is detected the Acts of Parliament are put in execution.

(8) The natural produce of the country is fish and timber, principally pine and oak, some beech, ash and birch. The manufactures are chiefly new vessels, then boards, plank, clapboards, shingles, masts, houseframes, chests, desks, chests of drawers, tables and chairs, sent to Virginia and Carolina. The whole exportation (including new ships) may be about 15,000*l.* sterling a year. (9) Some iron mines have been found, the quantity small and the value little; hardly 10 tons of iron have been made annually for seven years past. (10) The number of inhabitants, men, women and children, whites, may be upwards of 11,000; blacks, about 200. (11) There have died within two years past (mostly children) about 1500 persons by a mortal distemper in the throat, yet the province has increased in numbers in the last four years about a tenth part. (12) The number of the militia is upwards of 1900 men in two regiments of foot and two troops of horse. (13) There is only one fort in the province, on an island at the entrance of Piscatagua river, called Fort William and Mary, has 45 guns, many of them honeycombed and unfit for service, without powder, ball and other warlike stores, the walls with the other works and carriages in a ruinous condition; towards the repair whereof the assembly in their last session have ordered about 140*l.* sterling. To this fort are belonging only a captain, a gunner, and one sentinel, the assembly always pleading the poverty and inability of the province to support this fort in any tolerable manner.

(14) and (15) No Indians in this province nor any in the neighbourhood except in the eastern part of the province of Massachusetts where are about 300, much in the interest of the French King, his subjects cohabiting and often intermarrying with them. (16) [*Same as (16) in No. 121 i.*]. (17) Not much affected in this province by French or Spanish settlements in times of peace, but when it is war the French greatly distress the land frontiers, coming from Canada and mixing with the Indians; and it is also to be expected (in that case) that the French from Cape Breton will entirely ruin the fishery of this province as well as the trade from Great Britain and all other parts. (18) and (19) The revenue is about 80*l.* sterling a year appropriated towards the payment of the governor's salary, and 5*d.* sterling a ton on foreign vessels appropriated to buy gunpowder for the fort. This is all, save the annual tax on polls and estates of about 160*l.* sterling for support of the government. (20) The establishments are 200*l.* sterling, or 600*l.* bills of credit, on the governor for an annual salary, 5*s.* a day for the council and 3*s.* for the representatives during the sessions of general assemblies, and 150*l.* a year on the captain and others belonging to the fort. There is no other establishment, civil or military, but the general assemblies make allowances from time to time as they see meet to the treasurer, secretary etc. The fees (if they may be called so) of the judges, justices, sheriffs, clerks and all others, are paid according to law by the parties and persons whom they serve, but they have nothing out of the treasury. *Signed.* 7½ small *pp.* *Endorsed,* as covering letter. [*C.O.* 5, 879, *fos.* 208-212*d*; *C.O.* 5, 880, *fos.* 1-4*d.*]

289

May 13.  
Boston.

Governor Jonathan Belcher to Duke of Newcastle. I am told Col. Dunbar sails this week for Great Britain, and I am told goes away with all the ill-nature he can possibly have against the governor to

whom he has been but one continual plague ever since he received his lieut.-governor's commission, fire and contention being the element he delights to live in, loving to be restless and to make everybody so he has to do with. You cannot but be sensible of the great trouble and fatigue I have undergone since my appointment to this government

with one obstinate assembly after another for my steady adherence to H.M.'s royal orders; and I have been often threatened by men of influence that they would grant me no support unless I would go from the king's instructions. And during the dispute for about three years respecting the supply of the treasury I did not receive one farthing to defray my yearly expense in this province. At New Hampshire, by Col. Dunbar's little arts and crafts with the members of the assembly there, that province is at this time considerably in arrears with me although they passed a law settling my salary to be paid half-yearly. It has been my steady care to advance the king's honour and interest to the utmost of my power, nor have the worst of my enemies been able to justify any complaint against me, my conduct being particularly approved by H.M. in his royal order of 11 January 1733/4 and by the Council of Trade and Plantations in their letter of 27 September 1733. I can assure you upon my faith and honour that the governments of both provinces have not been worth to me *communibus annis* 750*l.* sterling, which is but a poor pittance for the support of the king's governor whom H.M. in his instructions to me is pleased to call the representative of his royal person in the governments where he has placed me; and the support they give me does but barely pay my necessary annual expense. Yet as this is my native country where are my family, my friends, and my little fortune, I own with great and humble gratitude the continuance of H.M.'s royal favour to me.

I am sensible Col. Dunbar will do everything in his power right or wrong to my prejudice: I therefore beg of you that his representations may make no impression till I am heard in answer. He wrote me a few months past he did not intend to return hither but to seek some employment at home: happy will it be for this country they may never see him again where I do not believe he can make out one single service he has done for the crown. But I am well satisfied he has done a great deal to alienate the affections of the king's subjects from his government; his despotic arbitrary way, as beating the king's subjects, threatening to burn and destroy their substance, etc., will by no means do in civil government.

The two provinces where I command are in good peace and tranquillity at present, but should there be any change of governor I have reason to believe it would throw the provinces into new difficulties and give the king's ministers fresh trouble who have had too much already with this people. I am told Col. Dunbar intends to endeavour Mr. George Jaffreys may succeed him as lieutenant-governor of New Hampshire, who is as opposite to me as Col. Dunbar himself. And with great deference to you I cannot see what advantage it can be to H.M.'s service or to the ease of his ministers to have persons put into post in one and the same government who will be continually thwarting and opposing one another. I therefore pray Col. Henry Sherburne, who has been for many years of H.M.'s council in New Hampshire, may succeed Col. Dunbar in the lieutenancy of that province: he is a very worthy gentleman and would be acceptable to the province in general and to me in particular. Upon the consideration of these things I hope you will allow me a share in your justice and favour that I may still enjoy the royal grace in holding H.M.'s commissions for the provinces where he has placed me and that I may not have those under me in commission who delight in giving trouble and opposition. *Signed.* 12 small *pp.* *Endorsed,* Recd. 11 July. [C.O. 5, 899, *fos.* 261-266*d.*]

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May 14.  
Secretary's Office,  
Dublin.

Thomas Morse to James Oglethorpe, giving notice of a legacy of 10 guineas left by Stephen Lamolliere, a French gentleman, who died in Dublin 11th inst. to be distributed among the poor German Protestants in Georgia. As executor I will pay that sum here to your order. *Signed.*

$\frac{1}{2}$  p. [C.O. 5, 639, *fo.* 252.]



291

May 14.  
Barbados.

President James Dottin to Council of Trade and Plantations, acknowledging letter of 6 October last. You need not have troubled to send copies of my letters to the Duke of Newcastle, since he had copies transmitted to him. But I have not yet had any answer nor received further commands from H.M. upon that head [*French settlements in St. Lucia*]. The inhabitants in general are greatly uneasy on account of these new settlements being so much continued and improved, as you will perceive by the copy of the council's address enclosed, which is likewise the sentiments of the assembly. I hope from the opinion you gave on the consequences that may attend these settlements that H.M. will give such speedy directions thereon as will best tend to the welfare and security of his islands and the trade thereof. If you approved of the method I formerly mentioned and will procure proper instructions to be sent from the Admiralty to the captains of the ships of war stationed at these islands for destroying these settlements, and they were strictly to be put in execution, the settlers would soon evacuate the islands. But that indeed will be depriving the commanders of those ships of the great advantage they reap by encouraging an illegal trade to be there carried on, by which they grow very rich; but this is done in such a secret and private manner that unless their own officers would prove it on them they cannot be detected in a practice which I am persuaded you will contrive proper methods to prevent for the future.

It gives me the utmost pleasure to find that H.M. confirmed the Act for paying the late governor's debts: I was fully convinced that this island, notwithstanding the declining condition it then was and still remains under, could not show too much gratitude to the memory of a governor whose equal we had not known.

I was unwilling to trouble you with the particulars of the hardships imposed on the planters and shippers of the produce of this island by the Custom-house officers in the collection of the  $4\frac{1}{2}$  per cent. duty because I well knew it was fully represented to our agents who I thought would have taken proper care to represent that matter and solicit for redress if the Commissioners of the Customs had not altered their directions to the officers here.

I shall observe what you mention with respect to the five Acts. If the assembly prepare an Act for their repeal I shall not pass it unless a suspending clause be inserted. But you will allow me to remark that the assembly here seldom care to make an Act wherein this clause is inserted because it has generally happened to lie a long while without being confirmed or disallowed, an instance of which is the Churchwardens' Act transmitted, with this clause, about four years since.

There are at present only seven members of council besides myself on the island, Ralph Weekes, John Frere, Thomas Maxwell, Thomas Applewhaite, Richard Salter, John Gollop, and Abel Dottin. John Colleton went off this island in 1729 and has continued absent ever since, and it does not appear by the council books where it ought to have been entered that he had any leave to be absent, either from H.M. or the governor. Mr. Ashley last year went off the island in a secret and clandestine manner without my leave; and as he well knew his affairs were in such a condition that he ought properly to have resigned, as he could not hope to appear again here possessed of such fortune or estate as would render him fit to be continued in that station, and as I thought you would consider his place vacant, I hoped you would have regarded my recommendation of Col. John Maycock to supply it, and I shall think myself obliged if you will now recommend him to H.M. Charles Dunbar, H.M.'s Surveyor-General, who is appointed a councillor both ordinary and extraordinary, lately attended and was sworn here; but soon afterwards returned back to Antigua where he generally resides. There was a dispute about his seat in council, as you will observe by the copies of minutes enclosed.

I determined it as I thought was just, agreeable to the opinions of the other members of council, and conformable to several precedents; so I flatter myself my opinion herein will meet with your sanction. Although Mr. Dunbar may be a most proper person to be of H.M.'s council here, was he generally to reside on the island (which I presume he intended when he procured this mandamus) and to purchase an estate here (for at present he has none in the island), I think it is worthy your consideration whether he should continue a councillor in ordinary if he does not constantly reside, as the public business may meet with some delay for want of his presence and as he thereby occasions the other members who are resident more trouble and takes up the place of another that would be present. I hope your determination herein will oblige the absent members either to resign or live on the island, where it seems their duty obliges them to remain, to be of the service they ought when they are appointed to be of the council.

I am pleased to have construed my instruction in granting appeals in the manner you intended, though I was much pressed to be of a contrary opinion and given to understand that my refusal of that appeal might be much to my prejudice. *Signed. 3 pp. Endorsed, Recd. 30 June, Read 7 September 1737. Enclosed,*

291. i. Speech of President Dottin to the Council and Assembly of Barbados, drawing attention to defects in the Militia Act and the arrears of the half-crown levy. The annual expenses of the government greatly exceed the public income. If the former are not reduced as much as possible, debts will increase. I cannot help observing what very large sums have been paid out of the treasury for executed negroes when I am convinced that many of these unhappy wretches have been unjustly condemned on a pretended misconstruction of the act by which they are tried. This matter deserves your attention. Frequent instances of perjury suggest the need for greater punishments. *2½ pp.*

291. ii. Address of Council of Barbados to President Dottin. We cannot omit this opportunity of entreating you to represent to H.M. the great disadvantages by means of the settlements made by the French on those islands stipulated and agreed to be evacuated by both nations and which the English readily quitted in obedience to the orders published at St. Lucia. But the other nation has been so far from complying therewith that, we are credibly informed, their settlements on those islands are brought to a much greater perfection than ever; in case of a rupture with the French, it will not be possible for this island to be preserved under the British dominion, as they may prevent any vessels coming hither. An end to these settlements might easily be brought to pass were the commanders of the ships of war obliged, instead of carrying on that large trade with those people, to compel them to evacuate the same. *Copy, certified by William Duke, Deputy Clerk to Council. 2 pp.*

291. iii. Address of Assembly of Barbados to President Dottin, expressing satisfaction with his government. Your ample fortune here has enabled you to execute your office at a small expense to the public, which from our present low circumstances cannot afford a larger; much less are we in a condition to make a suitable provision for a governor. A great discouragement has been given to the trade of this island by the late duty on retailers of spirits. The French settlements on St. Lucia are increasing and, if completed, would in the event of war cut us off from the mother-country. We doubt not of your enforcing this matter in the most earnest manner possible. *2 pp. Endorsed, as covering letter.*

291. iv. Extract of minutes of Council of Barbados, 15 March 1736/7. Charles Dunbar was admitted a councillor and took the several oaths. After debate about precedence in the council, the president ruled that precedence dated from the time



of being sworn of the council and not from the date of the mandamus. *Copy*, certified as No. ii above. 3½ pp. *Endorsed*, as covering letter. [C.O. 28, 25, fos. 50-57d.]

## 292

May 16.  
Virginia.

Lieut.-Governor William Gooch to Council of Trade and Plantations.

The late return of the surveyors sent to trace the course of Cohongarooten river and the necessary attendance at the general court have delayed the meeting of commissioners for settling the boundaries of Lord Fairfax's grant; so that it will be the end of July before I shall be able to send you their report with the proper maps and descriptions of the limits in controversy. About the middle of March last we were alarmed with expresses from South Carolina that the Spaniards were preparing at Havana a great armament for attacking Georgia; and all H.M.'s ships on the several stations being ordered to repair thither to their assistance, Capt. Compton in the *Seaborse* stationed here sailed about six weeks since. Yesterday I received a letter from that gentleman dated at Charleston the 25th of last month wherein he tells me that if the Spaniards had ever such a design (which I never believed) they had laid it aside. I shall send you by the next ships the annual account of our trade and manufactures. *Signed*. 1 p. *Endorsed*, Recd. 8 August, Read 14 September 1737. [C.O. 5, 1324, fos. 58, 58d, 61, 61d.]

## 293

May 16.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Resolved, that directions be given to the magistrates to enquire into the state of Joseph Watson's mind, under confinement in Georgia for lunacy. Read, representation

to Committee of Council in relation to Joseph Watson. Seal affixed to the same, secretary to countersign. 1 p. [C.O. 5, 687, p. 18.]

## 294

May 17.  
Savannah.

John Brownfield to Trustees for Georgia, transmitting an account of improvements in Derby ward. I hope to make greater dispatch in the remaining part of the town for there are not so many leases amongst

the rest as in that ward which I have gone through. To make this account more authentic I thought it necessary to have each person sign his name opposite to the respective improvements made by such person. Since I have finished the account of Derby ward and the references to it, Mr. [Houstoun]<sup>1</sup> told me of the enclosed agreement between him and Fitzwalter, and John Grady also mentioned the [lease]<sup>1</sup> between him and George Smith, memorandum of which is here enclosed. The reason of Walter Fox being signed over against lots 1, 2 and 4 in Jekyll [tithing]<sup>1</sup> is that 1 and 2 are vacant and 4 belongs to a child incapable of signing his own name (Paul Amatis is under the care of Catherine his mother and of Thomas Neale who was lately married to the said Catherine and is now improving the house lot for Paul Amatis). Walter Fox being the officer of Jekyll tithing I believe him a more proper judge of the improvements made in his own tithing than any person else, therefore he signed as is abovementioned and I shall observe the same method with respect to all [such]<sup>1</sup> lots.

The words 'small tenement' are meant to express a framed building less than a [house]<sup>1</sup> of 24 feet in length and 16 feet in breadth which are the dimensions specified in the deed of conveyance signed by Thomas Christie and William Calvert. The term 'large house' is used where a building [exceeds]<sup>1</sup> that of the said dimensions. 'A hut' is generally built of round poles and split boards without any framework and is commonly much smaller than a house. To express the form of each building, the [expense]<sup>1</sup> and all other particulars relating thereunto would take up abundance of time and I believe it

<sup>1</sup> Edge of page torn; supplied from *Georgia Records*, Vol. 21, pp. 465-471.

could [not]<sup>1</sup> be of any extraordinary use. Much the greatest number of houses in Savannah are built of the common dimensions 24 feet long and 16 feet wide. I have endeavoured to be very exact in getting an account of the improvements upon garden and farm lots with the product thereof; and unless an actual survey was made of each person's land I am of opinion that this account is as near the truth as may be. It is my intention to send you every year an account of the same kind and I hope it will have a good effect, for [as each]<sup>1</sup> person signs to his improvements and is sensible that the account will be perused by you [it may]<sup>1</sup> perhaps induce some people to bestow more labour upon their lands than they would otherwise do. In the remarks and references I have been as particular as was in my power from the papers and informations that I have hitherto had. As here has been no register kept nor even remarks [of]<sup>1</sup> the time when several material things happened, such as the granting and exchanging of lots, I am at [present]<sup>1</sup> prevented from using that exactness which is requisite in things of this nature. But if you will establish any positive rules in these respects, I shall hereafter be able to proceed with [greater]<sup>1</sup> punctuality. And if anything should come to my knowledge more than is already set forth I will immediately acquaint you with it and the same shall be inserted in next year's account. One material article is not mentioned in the enclosed paper and that will very much [satisfy]<sup>1</sup> you of the ability and industry of the people: I mean a list of what servants each freeholder [has]<sup>1</sup>. For though this account shows the respective improvements upon every lot yet that is not a perfect [picture]<sup>1</sup> of any person's industry unless it should be known by what help such improvements were made. I shall therefore send you a list of all the servants in this town as soon as the account that I am now [about]<sup>1</sup> is finished.

The lots which lie in swamplands and are overflowed cannot be improved without a considerable number of hands. I have only mentioned under this head such garden lots as belong [to]<sup>1</sup> men who would be both willing and able to improve them if they were upon dry land. John Wright [is the]<sup>1</sup> only person whom I have yet heard express a desire of keeping his swamp lot. I enquired of the [other]<sup>1</sup> men whose 5-acre tracts are in the same condition: why they did not begin to improve their [farms]<sup>1</sup>. William Cookesey said that he heard the person formerly wife of John Samins was coming to claim the house and land and that therefore he was unwilling to make any more improvements till he should know your determination in that affair. I assured him the grant from Mr. Oglethorpe was a sufficient title and that he might safely begin to clear the farm but I am not certain whether he will as yet enter upon it. John Penrose told me that his was upon pine land and unless he could get a stock of cattle and so turn his farm into a cow pen for some time, it would not be worth planting, the land being very poor. Mr. Christie said that he could not prevail on the surveyor to show him his farm, otherwise great part of it should have been cleared long since. To this Mr. Jones says that he acquainted Mr. Christie of his going out on purpose to show several other people their farms but that Mr. Christie was busy and did not go. James Smith told me he did not know perfectly where his farm lay, but that some of his neighbours would show him the spot pretty near and he intended soon to begin upon it.

The general reason which is given by those who have done nothing or but very little upon their lands is the want of servants, and some who have made a tolerable progress in clearing and planting say they are also kept back through the same necessity. Another great reason why more land is not improved proceeds from the number of orphan children and from those who having lots here do not live in the colony. Of the first are John Goddard, Marmaduke Cannon, William Little, in Derby ward. And of the

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<sup>1</sup> Edge of page torn; supplied from *Georgia Records*, Vol. 21, pp. 465-471.



latter, John Grady, Frances Watt, Wood, Mary Cooper, James Willson, Peter Gordon, in ditto. John Grady and James Willson live chiefly in Carolina and the other four persons in England. Frances Watt's, Mary Cooper's and Peter Gordon's lots are under my care and I have let the houses but not the gardens or farms. Since I am now mentioning to you the reasons of lands not being improved I must set down one which seems amongst the people to be a principal reason, and that is their being debarred the privilege of leasing and also of leaving their lands to daughters, relations or friends. Wherever this opinion has prevailed I have endeavoured to show the necessity of male inheritance especially in the beginning of our settlement and have likewise spoken of the inconveniencies which would attend the leasing of lands. But they say 'Unless a man may leave his inheritance to daughters, relations or friends, there is but little encouragement for him to make improvements since a stranger may perhaps enjoy all he has been labouring for', that 'If a person is prevented from leasing his lands, when he may thereby get them well improved which his own want of help makes him incapable of doing, they cannot well be said to belong to him'. However weak these arguments are, I do assure you that the greatest number of people here are guided by them.

I should be glad to receive your commands with respect to the form which you would have me observe in registering the different lands of this province, such as townships, villages, gentlemen's tracts etc. And in order thereunto I shall endeavour to remit accounts of all the settlements in Georgia as soon as may be. The inhabitants of Savannah desire and several have asked me for grants of their lands to keep by them, they having at present nothing to prove their right but the old register book which contains only the deed of conveyance from Christie and Calvert with a plan of this town and tables of references. As I have no power to comply with their request I can only mention it to you that such a form may be sent over as you shall judge best.

The want of roads is grievously complained of by almost every man here. Several people are obliged to go to their lots through swamps up to the middle in water which not only prevents their bringing any crop home but is the cause that men get violent illnesses in wintertime by being wet and cold as they pass through those deep swamps. A considerable quantity of corn which was last year bought of the people for your magazine cannot be brought to town but must lay and spoil upon the lands where it grew. Besides which, abundance of the freeholders' cattle will be lost to them for want of being drove home and it is impossible to drive either cows or calves up till roads shall be made. This makes several people uneasy because if cattle are out in the woods for a year and not branded by their owners they are seized in your name and marked as yours.

In looking over my letter of 10 February I find (amongst Mr. Jones's reasons for [the delay]<sup>1</sup> of surveying) this following mistake: 'And the money which Forde had for that work was [more]<sup>1</sup> than Jones himself could receive for surveying the whole township', whereas it should have stood [thus]<sup>1</sup>: 'And the money which Forde had for that work was more than Jones himself had received for surveying [the]<sup>1</sup> whole township'.

I am sorry that the colony in general seems so much dispirited. The want of provisions [has]<sup>1</sup> chilled men's endeavours extremely and I believe here are several who have hardly anything to [support]<sup>1</sup> nature. It will be an extraordinary blessing if this scarcity of food in the beginning of summer is not attended with a severe sickness in autumn. And I fear that at the end of three or four months there will not be abundance of cattle left alive near the town, some having been privately killed . . . <sup>2</sup> small distance

<sup>1</sup> Edge of page torn; supplied from *Georgia Records*, Vol. 21, pp. 465-471.

<sup>2</sup> Edge of page torn.

in the woods and (it is supposed) by our own townsmen. Several of the people [are]<sup>1</sup> determined to leave the colony and return to England, others talk of going to Carolina and besides [others]<sup>1</sup> appear in suspense as being no way resolved. Amongst this number I believe there may be several who never will be able to support themselves by labour, others who are utterly unsatisfied with the constitution of the province and a few who wait only to see what time will produce, as being neither satisfied nor disgusted. The two first degrees of people cannot do much hurt to the colony by [leaving]<sup>2</sup> and the last can be only useful if the state of affairs should take a pleasant turn. However I [sincerely]<sup>2</sup> believe that here are a good number who would strive even in the roughest posture of affairs to live upon the fruits of their own industry: they only want to be cemented. For to speak truth we [have]<sup>2</sup> not a great deal of unity amongst us and consequently no imminent danger of strong parties. Here [seems]<sup>1</sup> rather to be a general caution (not quite amounting to distrust) but that is almost inseparable [from]<sup>1</sup> the minds of unfortunate men whose former distresses might probably have flowed from too [much]<sup>1</sup> credulity. Yet, alas, what can the best of people do without a little support. Several [men]<sup>1</sup> have bravely struggled with and overcome many difficulties, nay I may safely say that some [are able]<sup>2</sup> to do a considerable deal towards their maintenance; but scarce any can live without frequent [helps]<sup>2</sup>. *Signed. 3 pp. Endorsed, Recd. 21 September 1737. [C.O. 5, 639, fos. 355-356d.]*

295

May 17.  
Charleston.

Robert Ellis to James Oglethorpe. On 21st ult. I delivered to Richard White, storekeeper at Frederica, attested by William Horton, 70 pipes of Madeira wine according to agreement between you and me in March 1735/6; which wines are right good, and do not doubt but will give full content; they cost me 35 milreis per pipe; they were all delivered full as will appear by receipt enclosed to the Trustees, the amount of which with the charges of pilotage from hence is 915*l.* 5*s.* sterling, which sum I have desired the Trustees to pay to Capt. James Pearse of London, merchant, and that his receipt for the same shall be a sufficient discharge. I must beg you to befriend me in the affair; your absence from the colony when I arrived put me to nonplus, the store being out of cash, but I applied myself to my good friend Paul Jenys who very readily supplied me with what money I had occasion of and assured me that no friend of yours or the Trustees should want while he could supply them [*Noted, Copy; but appears to be original or duplicate.*] *Signed. PS.* I was very well pleased to see the industry of the people at Frederica, but some little misunderstanding happening amongst them I by the assistance of my worthy good friend Mr. Horton made up the breach and obliged them to drink and make friends; by [which]<sup>1</sup> I have got the goodwill of the people who style me fa[ther]<sup>1</sup> and maker-up of their breaches and promise to live in good harmony and concord for the future. You would have been agreeably pleased to have seen in what good order and posture of defence they put themselves on the rumour of the late intended invasion by the Spaniards, whom I am confident they would have opposed to the last man. 1¼ *pp.* [C.O. 5, 639, fos. 282-283d.]

296

May 17.  
Charleston.

Same to Trustees for Georgia. Account for 70 pipes of Madeira wine delivered Richard White, storekeeper, at 13*l.* per pipe: 910*l.* Cash paid Gibson the pilot for pilotage to Frederica, 5*l.* 5*s.* Total, 915*l.* 5*s.* This is according to my agreement with Mr. Oglethorpe in March 1735/6. Richard White's receipt attested by William Horton is enclosed. Please order payment to Capt. James

<sup>1</sup> Edge of page torn; words in square brackets are editorial suggestions.

<sup>2</sup> Edge of page torn; supplied from *Georgia Records*, Vol. 21, pp. 465-471.



Pearse of London, merchant, whose receipt will be sufficient. The store at present being out of cash I was obliged to apply to Paul Jenys who has the colony much at heart and who has very readily furnished me with money on the credit of the Trust and is the only gentleman in the place who is ready to do any friendly offices to the new colony. *Signed.* 1 p. [C.O. 5,639 fos. 285-286d.]

297

May 17.  
Admiralty.

Josiah Burchett to Alured Popple. Capt. Lee of H.M.S. *Falkland* is under orders to proceed this year again to Newfoundland. As it is expected she will sail in a few days, the Council of Trade and Plantations, if they have any alterations to the heads of enquiry, will please send them hither. *Signed.* 1 p. *Endorsed,* Recd. 19 May, Read 24 May 1737. [C.O. 194, 10, fos. 52, 52d, 55, 55d.]

298

May 17.  
Stonehouse,  
Gloucs.

George Whitefield to Harman Verelst. I hear Mr. Oglethorpe intends setting sail for Georgia immediately after the parliament rises. Pray, is it true? Or if so, when does the parliament rise, that I may know how to settle my affairs and when to come up to town? Are Mr. Wesley and I to go in the same ship and at the same time? An answer to these queries would be very acceptable. Here are two pious honest skilful countrymen resolved to go with me if possible. Can they be settled with me at Frederica? Or how can they be disposed of to the best advantage? One of them will take 12l. Is it practicable for them to have a lot of land and to join together in manuring it? Are implements of husbandry provided at Georgia or must they take some with them? Can they be employed and paid for day labour supposing they have not a lot of land? I would willingly know all this before I let them go, for they both will leave very good places. They will be a blessing to the island.

A word or two concerning myself and I have done. Before I set sail I shall want many necessaries, also wearing apparel etc. Will not the Trustees furnish me with those? The same may be said of him that is to go as schoolmaster to Frederica. On Monday next (God willing) I set out for Bath to see what may be done about the collection. I should have been there a fortnight ago but have been detained here in serving a large country village near Gloucester on account of the absence of the present incumbent, a friend of mine, who continues in London longer than I expected by far. But I hope it is not now too late if the news about the Spaniards has not too much alarmed them. Be pleased to be as speedy in your answer as possible and direct for me at Lady Cox's in Queen's Square, Bath. *Signed.* PS. I thank you for your last. 1½ pp. [C.O. 5, 639, fo. 248, 248d.]

299

May 18.  
Savannah.

Thomas Causton to James Oglethorpe. Agreeable to the liberty you granted me before your departure hence, I have drawn bills of exchange on you of this date in favour of Charles Purry or order for 50l. sterling, having received of him the like value in cash, which, with bills dated 10 January last and 10 February last, makes together 180l. sterling in part of the 200l. you agreed to, the better to enable me to settle my farm. *Signed.* 1 p. *Annotated:* 27 Sept. 1735, Mr. Causton drew on Mr. O. for 50l., on 10 Jan. 1736/7 for 50l., on 10 Feb. for 50l. and 30l., on 18 May 1737 for 50l. Total: 230l. *Note:* 16 July 1735, 40l. ordered the storekeeper, 10l. to Mr. Causton, the 2nd Bailiff, 10l. to Henry Parker, 3rd Bailiff, 10l. to Thomas Christie the recorder, 10l. each to John Vanderplank and Noble Jones, constables. Total: 90l. 29 April 1737, the 130l. ordered in part of the 200l., Mr. Oglethorpe acquainting the Common Council the first 50l. ordered was not taken credit for by Mr. Causton. 1 p. [C.O. 5, 639, fo. 358, 358d.]

## 300

May 19.  
Whitchall.

Council of Trade and Plantations to Duke of Newcastle enclosing representation on the petition of William Shirley, Advocate-General in Massachusetts, New Hampshire, etc. *Signed*, Fitzwalter, T. Pelham, James Brudenell, Arthur Croft, R. Plumer. 1 *p. Enclosed*,

300. i. Petition of William Shirley to Council of Trade and Plantations, praying for post of Collector of Customs at Boston. *Signed* (for the petitioner), Francis Shirley. 1½ *pp.*

300. ii. Representation of Council of Trade and Plantations to the King, proposing that the said petition be granted. *Signed*, as covering letter. 3 *pp.* [C.O. 5, 752, *fos.* 291-293*d.*, 298-299*d.*; entry of covering letter and representation in C.O. 5, 917, *fos.* 97-99*d.*; draft in C.O. 5, 897, *fos.* 142-146*d.*]

## 301

May 19.  
St. James's.

Order of King in Council approving report of Committee for Plantation Affairs on petition of Murray Crymble and James Huey for lands in North Carolina. Surveyor-General in North Carolina is directed to lay out and survey 1,200,000 acres of land on the heads of the Pedee, Cape Fear and Neuse rivers, grants of which are to be made to the petitioners and their associates. *Copy*, certified by W. Sharpe. 4 *pp. Endorsed*, Recd., Read 8 July 1737. [C.O. 5, 295, *fos.* 88-89*d.* Order of same date directing Governor of North Carolina to pass the grants at *fos.* 87, 87*d.*, 90, 90*d.*]

## 302

May 20.  
Georgia Office.

Harman Verelst to Thomas Causton, by *Two Brothers*, Capt. Thomson. The Trustees have received a certified account for 218*l.* 7*s.* 5*d.* sterling dated 29 December last stated to be due to Messrs. Minis & Salomons to whom the 27th January following you paid 215*l.* in sola bills unissued by Mr. Oglethorpe for another certified account. As both these accounts came to the Trustees' hands together from Mr. Levi, and, if they were both sent from Georgia by the owners of them together, it is a wonder sola bills were not required for both. The Trustees have received no account from you of the above 218*l.* 7*s.* 5*d.* In your letter of 24 February last you mention that you believe the people you shall buy provisions of will take the sola bills as they are and that in such case you will certify the goods bought. But if they should not do so, Mr. Montaigut and Mr. Jenys are both willing to let you have Carolina currency for them at 65*o*l. per cent. advance. To prevent double payment the Trustees are obliged to continue postponing payment of your certified accounts. They received a letter from Robert Ellis dated Charleston, 21 March 1736/7, acquainting them of a certified account of goods delivered amounting to 372*l.* 19*s.* 2½*d.* sterling but there is no letter from you assigning a reason why you did not pay for them. The said letter mentioned that the Frederica sloop is gone to Philadelphia for another load of provisions: I hope the 1000*l.* sola bills by Capt. Dymond will reach you in time to pay for that load.

Enclosed is invoice and bill of lading of what was shipped in London on the *Two Brothers*, Capt. Thomson. Mr. Hossack will send you an account of what shall be shipped at Inverness where Capt. Thomson is going for 40 menservants for the Trustees to be employed in public work and several of them must be set to sawing timber and boards for which purpose there are saws and files put on board. Olive oil, emery and sandpaper are for cleaning the muskets and guns. The two boxes are for Mr. McLeod, the Scots minister at the Darien, which please forward with the clothing for Capt. Massey's company. The two tubs of vines came from Mr. King's vineyard and are for planting in Georgia. The indentures for the 40 menservants, Mr. Hossack will send you; the Trustees will pay their freight. Col. Stephens has sent you a letter about employing six



menservants he has written to Scotland for to come by this ship, being part of ten he intends to have for himself and to settle in Georgia on a grant of 500 acres of land lately granted to him. Enclosed are indentures signed by John Younghusband and William Colthred, endorsed by George Foster to whom they were bound and who is to pay you their freight of 5*l.* each and 8*d.* a day each from their being shipped to their sailing from Inverness; Foster goes by this ship to settle on a 50-acre lot at Frederica. Indentures of all other servants on board are endorsed to the captain to secure the freight and charges of them which the owner sends at his own risk and has ordered the captain to wait one month to receive 10*l.* apiece for them. But if any of them should not be paid for at the expiration of the said month of 30 days from the ship's arrival at Savannah the captain has leave to deliver them to you for the 'Trustees' use to be employed in the public work. You are to make a list of such (if any) and give the captain a receipt. Enclosed are articles under the seal for John Pye, sent to be a clerk; by this ship the Trustees have sent you another clerk, Samuel Hurst, and also one for the store at Frederica named Samuel Smallwood.

The people at Darien are to have the refusal of servants which the captain is to receive the money for, they coming from Scotland. Mr. Hossack has been directed to buy and consign to you tartan, 12 spinning wheels, wool, hemp or flax. Capt. Thomson has directions to get two menservants for Charles Wheeler at his mother's expense; said Wheeler is to have credit up to 10*l.* payable by his mother here if he absolutely wants it. Mr. Warwick goes on this ship at his own expense to settle on a 50-acre lot. Mary Jones, a servant, is to be delivered to a good family. The widow Warrin, who married Wood, is dead; care must be taken that her son Richard has the house and land, the father-in-law having no right thereto now his wife is dead. Let Mrs. Stanley's husband know that the Trustees have let her have 2 guineas more which he is to repay you. *Entry.* PS. Mrs. Francis Watts, widow of Mr. Cox, has sent you letter of attorney to receive the rent of her house, here enclosed; the Trustees have paid her 20*l.* in part of what you are to receive. Tell Mr. Haselfoot that the charges of the servant sent to him by the *Peter & James* is a loan to him from the Trust at the request of his wife. 3½ *pp.* [*C.O.* 5, 667, *fos.* 17*d*-19.]

## 303

May 20.  
Augsburg.

Samuel Urlsperger to Trustees of Georgia, enclosing the following. If the Trustees take compassion on these people I would beg that at a proper time the number of the 300 Salzburghers be completed and the

Palatines be not intermingled with the Salzburghers. *German. Signed.* 1 *p.* *Enclosed,*

303. i. Extract of letter from John Peter Hek, late town-clerk of Pfeddersheim in the Palatinate to the senior Urlsperger, 12 March 1737. Born of a Roman Catholic father and brought up as a Catholic I became convinced of the errors of popery and finally professed the Lutheran religion in 1723. In 1734 I was deprived of my employment as town-clerk after 26 years' service. My case is that of many, 40 or 50 masters of families and unmarried artificers and peasants, making in all 300 persons. I have been informed that by means of the S.P.G. and the assistance of Mr. Oglethorpe such persons may find refuge in America, and we hope for the same benefit as the Salzburghers. *German. Copy.* 2 *pp.*

303. ii. Extract of letter from same to same, 24 April 1737. By your letter I received the unwelcome news that your power extends only to 300 and those Salzburgh emigrants. But I understand there be hitherto only 200 Salzburghers admitted and I beg we may make up the number with 100 or at least my poor and distressed friends and relations consisting of 48 persons. *German. Copy.* 1 *p.* [*C.O.* 5, 639, *fos.* 269, 238-9; English translations at *fos.* 360-363*d.*]

304

May 20.  
Charleston.

Paul Jenys to Trustees for Georgia. No doubt you have been long since informed that Mr. Oglethorpe before he left Georgia contracted with Robert Ellis for provisions and necessities for Frederica, the greatest part of which have been already delivered. Pursuant to his agreement some time last month were landed 70 pipes of Madeira wine from on board the snow *Martha*, which after filled up were delivered into your store at Frederica. As these were received on a contract made by Mr. Oglethorpe before he went for England and the sola bills all emitted and expended for the use of your colony before Mr. Ellis arrived, it was some disappointment to him that the storekeeper at that place had it not in his power to make him any part of the payment, and the more as he wanted some money in this province. Mr. Ellis applied to me on this occasion and on the credit of Mr. White's certificate I readily furnished him with what Carolina currency he stood in need of, which I was the more inclined to do as our house has had the honour to do some of the colony's business and have always desired any opportunity to serve your settlement. I am fearful that in the absence of Mr. Oglethorpe the colony (unless furnished with some bills or credit from you) will shortly be distressed, for I find many of our inhabitants that in time past have furnished your settlements with provisions cold and indifferent and some I hear are resolved to send thither no more cattle or provisions of any kind; but to prevent any distress of this kind I have written to Mr. Causton that I am ready to join with him in any contract for what provisions the colony stands in need of. Nothing has given me so great a concern as the disputes between the two colonies and while in a public capacity none was more zealous to effect a reconciliation which would have prevented a public application to H.M. and saved this province a great expense and you the trouble of appearing at the Board of Trade to support the measures of your chief magistrates and to defend the proceedings of a gentleman who created himself a set of enemies only for his zeal to serve this colony and who is still well esteemed by those unengaged in the Indian trade. We are at this time under no apprehensions of an invasion from the Spaniards. *Signed. Seal.* 1 p. *Endorsed,* Recd. 20 July 1737. [C.O. 5, 639, fols. 300-301d; duplicate at fols. 291-292d.]

305

May 20.  
Charleston.

Same to James Oglethorpe. It was with much pleasure that I hear of your safe arrival in England after a dangerous passage. The death of my partner and the situation of my own affairs obliged me to decline all public business on which account it has not been in my power to serve my friends in any public affairs. The present assembly have taken such steps with relation to the dispute between the colony of Georgia and this province as I apprehended they would; nor am I at all surprised at the report of the committee. I expected it would be very personal and pointed at the man it is as soon as I knew who were on that committee. I am fully persuaded that the general assembly would have done the province more service if they had taken different steps and I assure you this is the opinion of many of our most wealthy inhabitants; and though much art has been used to prejudice many against you, many on the first advice we had of the invasion were under some concern at your departure from Georgia and would have rejoiced at your safe arrival at this port. By my late advices from Savannah I hear that they are in great want of money which I fear will be attended with some ill consequences unless the Trustees give some new credit to Mr. Causton or some other person. Mr. Ellis has applied to me for some Carolina currency on the credit of his account with the colony of Georgia which I have readily supplied him with, and which he has transmitted to Capt. Pearce who (I suppose) will lay it before the Trustees, and I make no doubt but they will take care to discharge it. I should be glad to



congratulate you on your safe arrival in America. *Duplicate. Signed. Seal.* 1 p. [C.O. 5, 639, fos. 288-289d.]

306

May 21.  
St. James's.

Royal licence of absence to Lieut.-Governor John Pitt for six months. *Entry.* 1 p. [C.O. 324, 37, p. 66.]

307

May 21.  
Georgia Office.

Harman Verelst to Thomas Causton. Thomas Upton, the bearer, has a grant of 150 acres of land to settle on at the southward and his friends intend to pay the Trust 30*l.* for that value in provisions in Georgia. The Earl of Egmont recommends Mr. Upton and his wife to your assistance till this credit is sent. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 19.]

308

May 21.  
Inverness.

Archibald MacBean to Harman Verelst. I wrote you this day sennight how matters stand here for the interest of the Trustees and have now to add that I have got four servants since, but they lie a heavy charge on the Trustees since Capt. Thomson has not arrived; for was he here I could put the whole of them on board in 24 hours. It would very much satisfy the gentlemen who stand friends for the Trustees that Capt. Mackay's sayings and writings should be confuted by the public prints. He has written to the two brothers as he did in his former in answer to my letter 16th current that he would come to this place and make good what he writes if anybody would bear his charges; but though that were promised he cannot adventure here. The newspapers and the captain's behaviour very much hurt the undertaking so that it would be well done to put a stop to both. *Signed,* A.M.B.  $\frac{1}{2}$  p. [C.O. 5, 639, fo. 246, 246d.]

309

May 23.  
South Carolina.

Samuel Eveleigh to Harman Verelst. Herewith you will receive all the *Carolina Gazette*s that have been issued forth since my last, as also several letters from Georgia to the Trustees, Mr. Oglethorpe, etc., which desire you will deliver or cause to be delivered. I wrote Mr. Oglethorpe a letter last week *via* Topsham and several letters before by sundry conveyances but have not been so happy as to receive one line either from him or you. The *Rose*, *Seaborse* and *Shark* men-of-war are now at Sullivant's Island waiting for a fair wind to go over our bar. I am told they design to cruise to the southward off of St. Augustine and to return here again in a few days. I desire you will acquaint Mr. Oglethorpe that I am positively informed by a trader lately come down from the Upper Cherokees that there are four gangs of Indians gone from thence down the Mississippi River, consisting of 175 stout men, in order to intercept the French in their going up and down that river, and that he heard before he came out of the lower nation that there was another gang gone out for the same purpose from thence. I received a letter this morning from the lieut.-governor importing that he was grown so weak that it was with difficulty he could walk from one end of his hall to the other. This is all the material news I can at present think of. *Signed.* 1 p. *Endorsed,* Recd. 20 July 1737. [C.O. 5, 639, fos. 294-295d.]

310

May 24.  
Bermuda.

Lieut.-Governor John Pitt to Council of Trade and Plantations, transmitting duplicates of journals of assembly, treasurer's account and powder account; also treasurer's account to 4 April 1737 and answer to their lordships' queries. *Signed.* 1 p. *Endorsed,* Recd. 16 July, Read 7 September 1737. *Enclosed,*

310. i. Copy of No. 172 iii. 6 pp. *Endorsed*, as covering letter.

310. ii. Account of duty on liquor, 1735-37. Receipts, 536l. 16s. *Signed*, Nathaniel Butterfield. Audited, 3 May 1737, Andrew Auchinleck, Leonard White, Robert Dinwiddie. Passed the council, 3 May 1737, John Pitt, Andrew Auchinleck, Francis Jones, Leonard White, Robert Dinwiddie. *Certified*, 24 May 1737, by John Pitt. *Seal*. 9 pp. *Endorsed*, as covering letter. [C.O. 37, 13, fos. 3-4d, 6-15d.]

311  
May 24.  
Bermuda.

Same to Duke of Newcastle transmitting duplicates of journals of assembly sent 25 March last. *Signed*. 1 p. [C.O. 37, 29, fo. 77.]

312  
May 24.  
Bermuda.

Same to Alured Popple informing him of dispatch of documents mentioned in No. 310. *Signed*. 1 p. *Endorsed*, Recd. 16 July, Read 7 September 1737. [C.O. 37, 13, fos. 2, 2d, 5, 5d.]

313  
May 24.  
Bermuda.

Same to Charles Delafaye transmitting to Duke of Newcastle duplicates of journals of assembly sent 25 March last. *Signed*. 1 small p. [C.O. 37, 29, fo. 75.]

314  
May 24.  
Savannah.

Thomas Christie to Trustees for Georgia, enclosing extract of proceedings of the town-court of Savannah since 30 November last. You will thereby see they begin to decrease on our hands, which has been chiefly occasioned by a timely stop put to an extravagant credit. You will receive a petition from me to which I beg your attention. I must likewise crave your instructions in the following affair: in 1734 I rented a house from the trustees for orphans belonging to infant Goddard at 18l. a year. In June 1735 one of the trustees, Mr. Jenkins, agreed with me that if I would lay out 50l. in improvements they would try to get a lease from you to subsist till the infant came of age or as you judge equitable. There is no agreement other than verbal and I left it entirely to your discretion. I have laid out upwards of 80l. sterling. I received little or no rent the first two years but now it is let for 42l. a year. The arrears of rent will be 63l. sterling at Easter next and I desire to resign the said lot for the benefit of the infant (who now lives with me) in consideration of being released from these arrears. As to public affairs I have only to confirm the advices Mr. Causton gives you from time to time, being a fellow-labourer with him. *Signed*. 1½ pp. [C.O. 5, 639, fos. 297, 297d.]

315  
May 24.  
Whitehall.

Alured Popple to Josiah Burchett. The Council of Trade and Plantations, not having had time since receipt of your letter of 17 inst. to propose any alterations in the heads of inquiry, desire the governor of Newfoundland and the captain who goes to Canso may be directed to answer the last instructions; and that for the future notice may be sent to this office as soon as the convoy is appointed for Newfoundland or Nova Scotia. *Entry*. 1½ pp. [C.O. 195, 7, pp. 406-407.]

316  
May 25.  
Palace Court.

Minutes of meeting of Trustees for Georgia. It appearing that the rice sold to Mr. Duffield weighed 1 cwt. more than was paid for, Mr. Duffield has paid 15s. more. Received, receipt from the bank for 41l. 15s. 6d. paid in by Adam Anderson. [See No. 282.] Received, same for 1l. 1s. paid in by Thomas Upton being the consideration money mentioned in his grant. Read, letter from Thomas Morse of 14 May 1737. [See No. 290.] Resolved, thanks of the Trustees to be given to Mr. Morse and that he be desired to pay the ten guineas to Philip Percival in



Dublin, brother to the Earl of Egmont. The board drew up a letter of directions to the magistrates at Savannah to enquire into the state of mind of Joseph Watson. 2 pp. [C.O. 5, 687, pp. 19-20.]

317

May 26.  
Jamaica.

President John Gregory to Council of Trade and Plantations, transmitting the Acts passed last session, the journals of assembly, and the journals and minutes of council. I hope the Acts will meet with your approbation: two of them, the Additional Duty bill and the Deficiency bill, met with some objection. The first I should scarce think worth mentioning but as there is a dissent entered against it in the journals of council I shall just answer it. The clause complained of is because there is a reflection and some restraint on the soldiers. I could have wished to have had it left out, and endeavoured it, but could not prevail. And indeed there was this foundation for it: the soldiers quartered in this town had been disorderly and killed some cattle belonging to the inhabitants. (They had no pretence of necessity to excuse them, being punctually paid every week their king's and country's subsistence.) Some of the cattle belonged to Mr. Needham, the speaker of the assembly. Upon his complaint to their officer, Capt. Harman, he did him all the justice in his power and the men were severely punished. This had not a proper effect but inflamed them and made them more insolent: six of them went into the speaker's bedchamber with their arms in their hands and insulted him. They were observed when they went in by some of the neighbourhood who followed them and prevented any mischief they might have intended. The speaker complained to me and told me he was in danger of his life, that he should be obliged to quit the town and could not attend to do his duty as speaker unless the company was removed out of the town. I complied with his request, removed that company, and brought another in their place. After such an insult I do not think the clause is so exceptionable; and being mulcted of their country's pay is no extraordinary piece of severity, especially when left to the direction of the governor.

The objection against the Deficiency bill is of consequence because H.M.'s instruction is concerned in it. It was an instruction to Mr. Cunningham which I had communicated to the board. You will observe in the minutes of the council the dissent which is entered against that bill. Before I would take upon me to pass it I asked the advice of the council and their reasons in writing (which are entered in the council minutes, of which the enclosed is a copy) which I hope will be sufficient to justify me in what I have done. On this occasion I beg you will indulge me with the liberty of speaking my sentiments with some freedom. I have a very just regard to H.M.'s instructions and believe them calculated for the good of his people. But as it is impossible at this distance to foresee or guard against all contingencies there is certainly something left to the discretion of the governor. This liberty is indeed to be used with great caution and upon great necessity, but in such cases I presume there is a latitude allowed him. For if by adhering too strictly to the letter of an instruction any great damage should happen to a country I am afraid his obedience would not greatly recommend him. His obedience indeed might excuse him, but his judgement would be called in question.

The four gentlemen who withdrew from the council still persist in that resolution. I have not required their attendance, being the easier without them. They have not resigned their places in form, and yet I am told they are making interest to get themselves in the assembly. This may be consistent with the rest of their conduct; and as they have not been able to hurt me as councillors they are willing to try what they can do in the other house. Indeed I have had great disquiet in the administration, and I must confess I am not proof against clamour and artifice. The honour or profit does not recompense the trouble. A governor here is obliged to act in three distinct capacities, as governor,

chancellor, and ordinary. It is difficult enough to succeed in any one, but it requires uncommon abilities (such as I do not pretend to) to give satisfaction in all. I came into the government by accident, I have made no application since to be continued in it, and therefore if I have been faulty I hope it is the more pardonable.

As to the state of the country in respect to the rebel negroes, some of those who were formerly distressed and went to the leeward part of the country are again returned to windward. I had some intelligence of their design and took all the precaution I could to prevent it; but their march was so silent and expeditious and my orders so ill-executed that I did not succeed. They have hitherto been pretty quiet there and in the other parts of the country, from what cause I cannot judge unless they may want ammunition. The barracks are finished in some places and proceeding upon in others. It will be an immense charge to the country and difficult to maintain them after they are built. They will no doubt be of use to the country but I am afraid not effectually answer the purpose unless we could constantly keep parties from thence to range in the woods. The soldiers are not fit for that service, and none but negroes can bear those fatigues in this country. I see little hopes of success unless we could bring them in by treaty: I have often recommended it to the legislature but they do not yet seem inclinable to such measures. *Signed.* 2½ pp. *Endorsed*, Recd. 9 August, Read 7 September 1737. *Enclosed*,

317. i. Proceedings of the council of Jamaica, 19 February 1736/7. The president asking the advice of the council whether he should consent to the Deficiency bill for obliging the inhabitants to provide themselves with a sufficient number of white people or to pay certain sums of money and laying before them the additional instruction to Governor Cunningham entered in the minutes 19 March last, the council advised him to give his assent. Three councillors desired that the reasons for such advice might be entered. (1) The Act of 1704 has become impracticable. (2) The penalties being only in case of refusal of servants to be placed by the Receiver according to the deficiency in that Act, we see nothing in it more to compel persons to keep white men in such proportions as is therein directed. (3) The former Deficiency Act having expired, many persons have discharged numbers of servants. (4) We think it necessary to prevent our being left defenceless. (5) This Act provides that the money arising be used to encourage settlers, there being no fund appropriated for that use. (6) There is nothing in this Act that suspends the Act of 1704; if it is practicable it may be put in use along with the present Act. *Copy. Signatories*, John Campbell, Richard Mill, Mathew Concanen. 1½ pp. *Endorsed*, as covering letter. [C.O. 137, 22, fos. 131, 131d, 133, 133d, 135-136d; duplicate of letter at fos. 141, 141d, 144.]

318

May 26.

St. Christopher's.

Governor William Mathew to Alured Popple, sending in a box in Capt. Conway's care a duplicate of the Nevis Militia Act. The duplicate Montserrat Negro Act is not come to hand. I send also Acts of Antigua for attainting and banishing negro conspirators and for the trial of two freemen concerned in the conspiracy. There is also a list of all the conspirators tried and executed, and minutes of assembly of Montserrat ending 24 March last. Pray present these and the enclosed letter to Council of Trade and Plantations. *Signed.* 1 p. *Endorsed*, Recd. 8 August, Read 10 August 1737. *Enclosed*,

318. i. Same to Council of Trade and Plantations, same date and address. Though my friends at home could not tell me what report you have made in relation to the French seizures I have made, yet they ventured to give me hopes that you had therein kindly given some cover to the breach of my instruction by favourable sentiments in behalf of my intentions. But they have now thrown me under the greatest concern



by the apprehensions they send me they are under that what you have reported to H.M. on M. Hop's memorial condemns me as guilty of what the inhabitants of St. Eustatius without regard to truth or justice have been pleased to complain of. I hope I am not too late in making the following apology for my behaviour in both cases, and that it will have some weight with you whom I never wilfully offended since H.M. honoured me with this government.

I thought these islands lay under two grievances: the first was the cruel execution of the French king's extraordinary edict, the second was the constant barefaced evasion of the intent of the Act of Parliament which certainly was to prevent (by impositions equal to prohibitions) all trade for sugar, rum and molasses especially between the northern colonies and the French. As to the first, relating to my endeavours to get the French edict recalled by a behaviour to them such (but not quite so severe) as they many years had exercised against us (and that that was my only intention, not for lucre as falsely suggested by my enemies, appears throughout my whole conduct and especially in the condition of the bond I took for the *Fortune*) all this has been most sufficiently already laid before you. But as to my struggles against the northward trade at St. Eustatius with the French, which I find has occasioned strange groundless complaints from that island, I pray leave to explain fairly to you. Whatever may have been H.M.'s determination on my seizure of the *Fleuron*, such I presume must it be from the parity of the cases as to the three French sloops and their cargoes which the Dutch at St. Eustatius have taken upon them to claim most falsely as belonging to Dutch owners. I can aver to you my *garde-côtes* never brought to or searched a single vessel under Dutch colours. There are not six sloops in all belonging to all St. Eustatius, a poor beggarly place with not two in it of the rank of a gentleman.

Mr. Heyligger in reporting the conversation he had with me at Antigua has forgot that one of the captains of my *garde-côtes* was then present, that he (Heyligger) asked me whether my captains had orders to search Dutch sloops, that I told him no, and that each captain of my *garde-côtes* had given 100*l.* security not to exceed his orders where he or anyone might find a remedy if any Dutch vessel was injured. And my answer to their letter declared my intention was only to break through the illicit trade carried on at St. Eustatius between the English and the French but yet to give no let or hindrance to legal navigation; and the captain of the *garde-côtes* then present (Welch) averred to his face that he searched only such vessels as would show no colours at all (that is, French who dared not own who they were), for as he knew almost every vessel belonging to St. Eustatius, if any Dutch vessel would but show Dutch colours and own to him who she was, he never should attempt to stop or search her, nor had he any orders or instructions from me to search or stop any Dutch vessel that would own itself to be such. As to my being short in language to them, I may be excused as this captain had but just before brought me an account of my son's death. But upon the whole of my conversation with Heyligger and Ellis, as I did not understand Dutch, I knew not the contents of the letter they brought me or the character they came with. It is true I threw it on the table and made the observation that as we had hardly a single person in Antigua that could translate Dutch and everybody almost in St. Eustatius (as I well know, having been twice there) speaks English, I thought it a ridiculous stiffness in a president or under-governor appointed by a trading company not to write in English to a king of England's captain-general. He himself speaks English better than Dutch and his brother is my deputy-governor of Spanish Town. My giving Heyligger the Act of 1701 was in no relation to the seizures - M. Hop mistakes it - but to give them fair

warning what by law I was impowered to do; and I further told him and made Major Leslie, his correspondent, afterwards write him so, that it was cruel usage for the sake of a little money spent in punch-houses by sailors in their island, or I might have added even for the petty duties to the company, for them to encourage a trade destructive to their English neighbours, their only protection in case of war, and this in favour and to aggrandize the power of the French here, our common enemy. But indeed these good neighbours when a war was likely entered into a treaty of neutrality with the French and even offensive against us for their island of St. Martin's. I thought all this was over and only slightly mentioned some part of it to Mr. Coope: had I had any notice they would have made such a story of it at home, I had said then as much to him as I do here and given him directions to lay the whole before the Duke of Newcastle and you.

I pray you to consider the intention of the Act of Parliament and whether the saving these colonies from ruin and keeping the French in due bounds as to their plantation-produce does not absolutely require a breaking through the northern trade with the French for their rum and molasses, which then they must throw away. Another thing: if we could have an importation of all the produce of the French islands into London, then London would be the mart for sugar to all Europe and the benefit would be very great; but if from St. Eustatius (to St. Christopher's especially) only so much is imported as serves to glut our British markets and ruin the sale of our own sugars and the French who have beaten us out of all foreign markets must also be let into a share of our own British markets, is it hard to foresee what miserable plight the English sugar planter is daily reducing to? I hope Mr. Yeamans laid before you how Hamilton was used at St. Eustatius: are H.M.'s subjects to have no protection from the government there?

As to the French complainant, Sagan, he dare not own at Martinique that he calls himself a Dutch citizen of St. Eustatius. He is and has been for several years no other than the French agent there to manage their illicit trade. I will know of M. Champigny whether this Frenchman who goes often to Martinique owns himself a Dutchman there. But as he is only a French factor, how is a sloop he is owner or pretended owner of more a Dutch sloop or her cargo Dutch than if an English factor at Lisbon should have a ship with a cargo from London of his own and should to serve a turn pretend from his residence there that she with her cargo was Portuguese? They are pleased to aver I had six *garde-côtes* out and modestly called them pirates, though fitted out to protect our trade and were never to go out of my government or to meddle with any but French as directed by the Montserrat law; they never dared call a French *garde-côtes* by that name. But the fact itself is false. When I determined to sell my own sloop to obviate any reflection that I only sought advantage to myself, I only gave commissions to three very small vessels, one to attend St. Christopher's and Nevis, one for Montserrat, and one for Antigua, as the French have one for Martinique and one for Guadeloupe; and these I have called in and taken the commissions from seven months ago, but yet the French think illicit trade can be prevented but by *garde-côtes* and for that purpose have them. Had I sent these three prizes to M. Champigny, he and his intendant would have had no difficulty to have proved them French bottoms and French cargoes and probably in discharge of his duty he not only would have confiscated them but sent captains and sailors to the galleys.

Now after all, Sagan complains but of losses to the value of 4191 pieces-of-eight, which is 1257*l.* 6*s.* this currency, or reduced at 60 per cent. the present exchange, 785*l.* 18*s.* sterling, and this for goods valued at a monstrous rate. They do not even



pretend the sloops were Dutch, else their value would have been added, a mighty sum this whereon to complain that the company's revenue was reduced to nothing and a whole island was destroyed etc. But in truth not a farthing of it was Dutch that I can find. But it may be asked, if these sloops were French why did not the French complain? The reason is plain: they were carrying on an illicit trade and were rather forced to hide their loss than own it in fear of the edict which sent them to the galleys. And besides, Thomas Kerby of Antigua being at Martinique a few months afore in discourse with the general and intendant was supposing to them I should seize some of their illicit traders to St. Eustatius, to which they answered they should be very glad of it and never would reclaim them. This gentleman is coming home and will, if called up, support the truth of this.

Indeed, as to one Germa, a Venetian and settled inhabitant of St. Eustatius, who came to me with Heyligger and Ellis, he told me his story so movingly that I could not forbear writing in his favour (though to no effect) to the judge of the Admiralty at Montserrat on 14 September 1736 in these words, and gave him the letter to carry: 'I have had some Dutch gentlemen and one George Germa, a Venetian settled at St. Eustatia, with me. This Germa declares and says he can prove the sloop to be wholly his. If so, she is Dutch, and I think you cannot meddle with her, and there seems to be somewhat of charity speaking in favour of this George Germa, and I therefore recommend him, in case the sloop and sugars be really his, to you'. If after this the court of Admiralty on proofs that she and cargo were all French and taken within a league of our shores condemns her and cargo, why am I that had no share of the prize to be answerable for it? Let them recover on the 1000*l.* security bond given by the *garde-côtes* and in my custody, which they may at any time have recourse to and the benefit of. These remonstrants affirm my utmost endeavour is to ruin St. Eustatius. But how have they, joined with the French, for several years past been working the ruin of the English sugar-planter, and because I endeavoured to stand in the gap I am charged with wrongs done them which they neither prove nor have the least grounds for. I have hurt none but French, and they richly deserved it by a long series of injustice and barbarous usage of the English here.

Give faith to everything I aver in this letter: on my conscience I believe it all true and I am ready to attest on my oath that the transcript I have inserted of my recommending Germa to the judge of the Admiralty of Montserrat and the following one are actually faithful transcripts. This following is a fair refutation of Sagan's false suggestion as to his being pretended owner and therefore that the sloop and cargo commanded by J. de Meyere was Dutch. At the time she was seized, M. Fauchier from Martinique was with me treating about the *Fleuron*. This Meyere then wrote to him to intercede with me for this release and Fauchier pressed me not to inform the French general this Meyere was thus caught carrying on to St. Eustatius an illicit trade, and that one Chevalier de Cressonville was discovered by me in the same fault. And as I found this sloop was not returning from St. Eustatius freighted with English commodities bought there of the English but only was going thither from the French islands loaded for that trade, I ordered her to be released. Fauchier prevailed on me, and then Meyere from Montserrat wrote him as follows. I have the original of which these words are a true faithful copy, vizt. 'To M. Fauchier in Antigua; Montserrat, 27 August, O.S. I do not know what compliment to make to his excellency the general. I beg you to supply my inadequacy, to give him my respectful thanks and to beseech him as a favour not to do me the harm with our general which it is in his power to do. I implore the same favour for M. le Chevalier de Cressonville as for myself. J. de Meyere'. [*In French.*]

Mr. Sharp I find endeavoured as well as he could and I should have hoped pretty sufficiently to justify me; but with great sorrow I find by my letters from home my friends are in great apprehensions that you have thrown me out of your former favour and some of them observe that you take my silence to you on these occasions very much amiss. I had by my friends laid my controversy with the French before the Duke of Newcastle, and I never imagined I had any controversy with the Dutch. I was misled by thinking I ought to apply to a secretary of state chiefly as to an immediate dispute with a foreign nation. But had I known your sentiments my application by myself or by my friends should have been to you also. The pretence of the Dutch buying of the English and then selling to the French is a mere fallacy. The produce of all St. Eustatius is not above 500 or 600 of our hogsheads of sugar a year. But where is a need of these intermediate traders and giving them an advance on the first price? The English and French vessels meet there and deal together as principals, or they have their agents, Steward and Sagan, for the purpose. The Dutch have no concern but to receive the company's duties.

I send to Mr. Yeamans to lay before you or the Lords of the Council the trial and condemnation of the sloop *Catherine* (which they did not think fit to produce, though they did the trial of the sloop *Dolphin*). This they claim as a Dutch sloop, but by this trial it appears the master and mariners themselves declared her to be a French sloop belonging to Guadeloupe and disowned their having been trading (as it was proved they had) with the northern Rhode Island men at St. Eustatius. And yet against this declaration in court of both master and crew of said sloop, the French factor Sagan calls her, at least her cargo, his and Dutch. What can be more bare-faced? Thus I have proved, I think beyond contradiction, that the two sloops *Dolphin* and *Catherine* and their cargoes were not Dutch but entirely French. As for Meyere's, which they own was released, I think still I have proved from his own letter she and cargo were French. There remains only out of all the false suggestions to disculpate our *garde-côtes* on the seizure of the sloop *Two Sisters*. As I had no concern in any of these seizures, except a poor matter out of the *Catherine*, I know not how that seizure and condemnation of the *Two Sisters* were. I have therefore sent to Montserrat for a transcript of the proceedings, and if I get them in time I shall transmit them to Mr. Yeamans by this opportunity or by the very next to lay before you or where this matter, if not wholly determined against me, may be to be finished.

I have only to add that as to their evidence Steward, as Sagan is agent for this illicit trade from the French islands with the Rhode Islanders etc., so Steward is agent and spy to carry on a trade from these islands with the French at St. Eustatius. This is notorious, and yet all this faithful Briton says is that in conversation he had heard me declare I would find means to destroy the English commerce at St. Eustatius, which could only mean the illicit trade carried on there between the English and French. As for any trade with St. Eustatius, the island itself from the pitiful poverty of the inhabitants and its own scanty produce we can have no trade with. All we may have from thence is now and then a little spa-water or a few Dutch hams from Holland, a trade I never could be imagined to think worth my notice. I own a trade between the Rhode Island men and the French is not against the Act of Parliament, but as it is notorious hardly fewer than 100 sloops from the northward trade at St. Eustatius yearly for French rum and molasses and the king receives little if any duties granted by that Act on the importation of these goods, this proves the whole trade illicit. These are the real facts.

I now send to your secretary the two Antigua Acts I was disappointed in sending with my last, the first entitled an Act for attainting several slaves who abscond and



have fled from justice and for the banishment of others concerned in the late conspiracy. Acts for attainting runaway negroes or for inflicting punishments on negroes are so frequent in these parts and the Act itself fully explaining the occasion of its passing I need not take up your time with any explanations upon it. The other is entitled an Act for the trial of John Corteen, a free negro, and Thomas Winthorp, a free mulatto man for an intended insurrection to destroy the white inhabitants of this island and declaring the same to be high treason and rebellion in the said John Corteen and Thomas Winthorp, and making the testimony of slaves evidence against them but respiting sentence of death and awarding execution against them until H.M.'s pleasure shall be signified and made known. This is an Act of an extraordinary nature as the lives of two free men are concerned, and I at first was doubtful how such an Act could pass without the suspending clause or sending it home first for H.M.'s approbation. But here lay two very great difficulties upon the island. These free men were to be convicted by proofs of their guilt from ten or more negro evidences. The maintaining these evidences for many months till H.M. should please to approve the Act or allow my passing it would have been a very great expense to an island already exhausted by the vast charges and loss brought on it by the conspiracy as well as losing nine-tenths of this year's crop by blast and drought. The other reason was that these evidences themselves were all of them principal conspirators and it was high time to rid the island of such dangerous villains by immediate banishment, the discoveries they had made having saved them from the punishments of death. For these reasons I passed the Act but still with a reserve in it that whatever should be the sentence of the court it should not be pronounced until H.M.'s pleasure should be known on the Act. And thus I hope you will think I have consulted as well my duty and obedience to H.M. as the good of the island on an unforeseen but extraordinary as well as necessary occasion.

List enclosed of negroes executed, their trades, owners, and time and manner of execution. At my coming away the legislature applied to me to return as soon as possible and I have always kept myself ready at an hour's warning since my recovery to return thither. The execution of the commission for confirming the French lands which had long been delayed by my absence made me take the first opportunity of the island's being in tolerable safety to come down hither. One of the negroes that was outlawed has since been taken and pretended to make some fresh discoveries of a new insurrection to revenge the deaths of those that were executed. I have not yet heard what weight there was in this discovery. Transcript of minutes of assembly of Montserrat to 24 March 1737 enclosed. *Signed*. 17 small *pp*. *Endorsed*, as covering letter.

318. ii. List of negroes executed at Antigua for the late conspiracy, their trades, owners, and the date and manner of execution. Total executed, 20 October 1736–18 February 1737: 88, vizt. broken on wheel, 5; gibbeted alive, 6; burnt, 77. A list of negroes to be banished: total 36. A list of negroes that are evidences: total 13. A list of free negroes: total 3. *Endorsed*, as covering letter. 3 *pp*. [C.O. 152, 23, *fos*. 20–34d.]

## 319

Address of congratulation to the King by the governor and both houses [May 26.<sup>1</sup>] of assembly of Maryland on the occasion of the marriage of Frederick, Prince of Wales. *Signed*, Samuel Ogle, Benjamin Tasker, president, James Harris, speaker. 1 large *p*. *Endorsed*, Recd. 31 October 1737. [C.O. 5, 720, *fos*. 256–257d.]

<sup>1</sup> *Arch. Maryland*, Vol. XL, p. 26.

**320** Order of Committee of Council for Plantation Affairs referring seven  
 May 27. Acts passed in Massachusetts in July 1736 to Council of Trade and  
 Plantations for examination and report. *Seal. Signed, W. Sharpe. ¾ p. Endorsed, Recd.*  
 4 June, Read 7 June 1737. *Enclosed,*

320. i. The following are the titles of the Acts: for apportioning and assessing  
 tax of 29,953*l.* 7*s.* 6*d.*; for granting H.M. duties of impost and tunnage of shipping;  
 for granting 3000*l.* for support of H.M.'s governor; concerning the surviving  
 trustees of the first 50,000*l.* loan; to prevent multiplicity of lawsuits; to enable  
 overseers of the poor to take care of idle and disorderly persons; for rebuilding Miles  
 Bridge. *Printed. 19 pp.*

320. ii. Certificate by Jonathan Belcher and J. Willard, secretary, that the above  
 are true copies. *Seal. 1½ pp. [C.O. 5, 879, fos. 156-169d.]*

**321** Harman Verelst to Thomas Causton, by the *Seaforth* man-of-war,  
 May 27. Capt. Scott. Capt. Thomson sailed with the *Two Brothers* on Saturday  
 Georgia Office. last for Inverness to embark 40 menservants which Mr. Hossack was  
 written to to engage for the Trustees and whose indentures Mr. Hossack will enclose to  
 you. The charges of these servants to the Trustees amount to 7*l.* 5*s.* sterling each for  
 engaging, clothing, bedding and freight of them. But such of them that are shipped  
 before the day of sailing from Inverness the Trustees pay 8*d.* a day for their victualling  
 from the day of shipping to the day of sailing; and towards the voyage to Inverness  
 the Trustees also pay 15*s.* each being 30*l.*, they having contracted for 40 to be shipped,  
 which makes the whole 8*l.* sterling each besides victualling before sailing. If a lesser  
 number than 40 are shipped, they are also to pay the further sum of 40*s.* for each of the  
 40 short shipped. These servants are to be sent to Lieut. Moore Mackintosh at the Darien  
 with a list of them, and you are to acquaint him that he is to offer to each freeholder of  
 the Darien that was there when Mr. Oglethorpe left the place (beginning by the oldest)  
 to take one of the said servants and give security by bond for repaying the Trustees the  
 sum of 8*l.* sterling in twelve months from that time. One servant is to be delivered to  
 Alexander Cameron. Remaining servants are to be set to work by Lieut. Mackintosh at  
 sawing timber into 1½ inch and featheredge boards, saws being sent by this ship. Those  
 remaining servants are each to have four lbs. of meat a week, a bushel of corn and  
 2½ lbs. of butter a month and 7 lbs. of cheese a quarter. MacBean has nothing to do with  
 the disposal of these servants, being shipped by Mr. Hossack. The indentures of the  
 other servants, shipped for persons who had desired MacBean to get them servants, will  
 be endorsed to the captain to secure the money he is to receive for them; where the  
 people of Darien can pay him for any (over and above the said loan of one to each free-  
 holder) they should have the refusal as coming from their own country. You are to  
 recommend a kind usage to the servants thus brought and be civil to MacBean.

Affidavits should be sent over of the acts of lunacy Watson has committed [*see* No.  
 293], as painting himself, running about naked, threatening to bring down storms and  
 showers of blood, and saying Mrs. Musgrove had bewitched people.

Enclosed is a copy of what was made up at Savannah by Mr. Oglethorpe and yourself  
 relating to the charge of the colony, wherein you must be careful not to exceed in any-  
 thing. But you are to take care that Mr. Horton and the people at the southward and the  
 people at Darien are supplied with provisions. You are to send up Indian guns for all  
 the servants at Darien to be delivered to their masters for them, and the Indian guns  
 for the servants there who remain for the public, vizt. one for each, are to be delivered  
 to the care of Lieut. Mackintosh. I believe Mr. Oglethorpe will be soon setting out for  
 Georgia with the commission of captain-general and commander-in-chief of the king's



forces in Carolina and Georgia and a regiment of 600 men under his command. I have written to Mr. Hossack to send to you by the *Two Brothers* 150 pairs of what the Highlanders wear on their feet. You are to pay to Rev. John MacLeod, minister to the Scots' settlement at New Darien, 41*l.* 15*s.* 6*d.* in sola bills, the same having been received from the Society in Scotland for Propagating Christian Knowledge. *Entry.* 3 *pp.* [C.O. 5, 667, *fos.* 19*d*–20*d.*]

322

May 28.  
Georgia Office.

Same to Messrs. John Hossack & Co. at Inverness. I have received Archibald MacBean's letters of 7th and 14th inst. with Mr. Alve's letter to Mr. Richie and the copies of the letters relating to Capt. Hugh Mackay. As to MacBean's of 7th relating to Duncan MacDonald there will be no application for his discharge. MacBean is very much to blame to take upon him to call persons names and reflect upon the persons Capt. Mackay carried over with him when Capt. Mackay was employed by the Trustees. You are desired to rebuke him for such behaviour, the Trustees having had no complaints of any of those persons Capt. Mackay took over with him, and they have been very well pleased with his services in Georgia.

As to the abovementioned letters concerning Capt. Mackay, I shall lay them before the Trustees when they meet, but in the meantime think it necessary to acquaint you that the Trustees troubled you with the commission of employing persons to engage the 40 menservants they want and desired your employing MacBean or whom else you thought proper for that purpose, and you are to draw for the engaging money and the other charges attending the clothing and the furnishing and shipping what the Trustees have desired to be sent by the *Two Brothers* which sailed from London for Inverness 21st inst.

I have further to desire your getting 150 pairs of what the Highlanders wear upon their feet but the name I cannot remember; they are not dear, and if I am not mistaken they are about 8*d.* a pair, but please get them as cheap as you can and pack them with the tartan or other proper package.

As to that part of MacBean's letter hoping for an indulgence from the Trustees to ship for his own account three servants, please acquaint him that the Trustees cannot pay engaging money which he under you may earn and the passage of servants for him too. The owner has contracted to allow him his passage and servants in proportion to the number of those he shall ship for his countrymen in Georgia over and above the 40 you were desired to get engaged for the Trustees, and in that case he possibly may be supplied with passage. But if by any unforeseen accident MacBean should not be in a condition to earn of the owner or pay his own passage, I have written to Capt. Thomson to take him on board to return to Georgia. *Entry.* PS. I have troubled you with a large packet for Capt. Thomson, charge postage to the Trustees. 1¼ *pp.* [C.O. 5, 667, *fos.* 20*d.*, 21.]

323

May 28.  
Inverness.

Archibald MacBean to Harman Verelst. I wrote you 21st. I now have on hand upon a heavy charge (to a few) the complement of servants for the Trustees. They begin to mutiny and challenge a guard of ten men. I can now say I have them but cannot promise how long I can keep them. Duncan McDonald, of whom I advised 7th current, was to be delivered to me yesterday by Major Cunningham, commander Fort George, Inverness. But early in the morning he leaped over the ramparts and is gone off. I have employed two soldiers of the independent company lying in this place to go in search of him and will advise their success in course. *Signed,* A.M.B. ½ *p.* [C.O. 5, 639, *fo.* 244, 244*d.*]

- 324 Governor Jonathan Belcher to Duke of Newcastle. [*In substance same as No. 288.*] *Signed.* 4 small *pp.* *Enclosed,*  
 June 1. Boston. i. Proclamation of Governor Belcher, 14 April 1737. See No. 288 ii. *Printed.* 1 large *p.* [*C.O.* 5, 899, *fols.* 267-269d.]

325 Alured Popple to Francis Fane enclosing the following twenty Acts passed in Virginia in September 1736 for his opinion in point of law, vizt. Acts for duty on liquor and slaves; to declare the right to vote in election of burgesses and to serve in the assembly; for amending the Act for amending the staple of tobacco; for obliging apprentices to serve their time; for altering laws for sale of goods taken in execution; for preventing persons contracting small debts to remove their effects out of the county; for greater ease of sheriffs; for better regulating certain officers' fees; to prevent cutting up tobacco suckers; for regulating fees of practisers in physic; for regulating office of surveyors of land; for raising a public levy; for confirming titles to lands in the Northern Neck held under Lord Fairfax; for lessening allowances to witnesses in county courts; for paying wages of burgesses; for relief of inhabitants of parishes of Raleigh and Dale; for relief of sufferers in the loss of records of the county of Nansemond; for building a bridge over Nottoway river; concerning ferries; for making reparation for tobacco burnt in Gray's Creek warehouse. *Entry.* 4 *pp.* [*C.O.* 5, 1366, *pp.* 142-145.]

326 Council of Trade and Plantations to Committee of Privy Council. We have considered your order of 5 May [No. 267], Lord Baltimore's petition [No. 267 i], and also the petition of the president, council and assembly of Pennsylvania relating to a boundary dispute with Maryland and complaining of violence committed by persons claiming authority under Lord Baltimore, together with Lord Baltimore's answer and several papers accompanying the same. We have been attended by Lord Baltimore and the proprietors of Pennsylvania. Upon which, we acquaint you that from the time Pennsylvania and the three lower counties were possessed by the late William Penn they have been governed either by the proprietor or by deputies appointed by him and his successors with the approbation of the crown. On every appointment of a deputy governor, the proprietors have signed an instrument declaring that H.M.'s approbation shall not be construed to diminish the crown's right to the three lower counties. What the right claimed by the crown is, as also the claim of Lord Baltimore, appears very distinctly in a report to the king of 21 October 1717 from Sir Edward Northey and Sir William Thomson, then Attorney- and Solicitor-General; copy enclosed.

There having been disputes between Lord Baltimore and the proprietors of Pennsylvania touching boundaries, articles of agreement were made between them on 10 May 1732. As these articles were never executed, the proprietors of Pennsylvania have preferred their bill in Chancery against Lord Baltimore for specific performance thereof; which dispute being yet depending, we do not advise any alteration in the usual manner of appointing the deputy governor of the said three lower counties. The Pennsylvania petition and other papers are returned. In order to prevent disturbances on or near the boundary in dispute between Lord Baltimore and the Penns, we propose that H.M. lays his injunction on the governor of each province to preserve peace. *Entry.* *Signatories,* Fitzwalter, M. Bladen, J. Brudenell, R. Plumer. 7 *pp.* [*C.O.* 5, 1294, *pp.* 105-111.]



327

June 3.  
Whitehall.

Duke of Newcastle to Governor William Mathew. I transmitted to you in my letter of 30 April a copy of the memorial delivered here by M. Hop, Envoy Extraordinary from the States General, complaining that several ships belonging to the Dutch inhabitants of St. Eustatius had been seized by your order and carried to Montserrat where they had been condemned. I also sent you a copy of the representation of the Lords Commissioners for Trade, to whose consideration the said memorial had been referred, setting forth that as the vessels mentioned in M. Hop's memorial to have been seized by the sloops acting under your commission do not appear to have been any way concerned in trade to or from the Leeward Islands their lordships are of opinion that the seizure and condemnation of the said ships cannot be justified because an actual trade with some of H.M.'s subjects must have been proved in order to make them liable to confiscation. H.M. has therefore commanded me to acquaint you with his pleasure that you should forthwith restore to the proper owners the Dutch ships taken by your order, provided the allegations in M. Hop's memorial upon this subject be true, vizt. that the said ships were taken purely by virtue of the Montserrat Act of June 1736 for having sailed within a league of the coasts and without any proof of their having been concerned in any illicit trade. But if you should have any other good reasons for causing the Dutch ships to be seized and confiscated you will in that case immediately transmit to me an account of your proceedings and of the evidence upon which the said ships were condemned that H.M. may be able to judge of the whole and give such orders thereupon as he shall think proper. I send you enclosed for your further information and direction a copy of the answer which the king has directed Lord Harrington to return to M. Hop's memorial. H.M. doubts not but you will take care that these commands be punctually and effectually obeyed; and that you may have the earliest notice of H.M.'s pleasure I shall give a duplicate of this letter to M. Hop to be by him transmitted to you. *Draft. 3 pp. Enclosed,*

327. i. Answer of Lord Harrington to M. Hop's memorial; Whitehall, 20 May 1737. M. Hop's memorial of 11/22 February past complaining of seizures by Governor Mathew of Dutch ships going to and from St. Eustatius having been laid before the king and the king having examined the same as far as is possible at such distance from the place where the seizures were made, H.M. commands me to reply that he has sent copies of the memorial and other papers to his governor with orders to release all such ships and cargoes that have been taken under the Montserrat Act of June last, to which the king has never given his approval; and that if he has other valid reasons for the seizures, the governor is to send an exact account of his proceedings in order that H.M. may do justice. *French. Copy. 2 pp. Endorsed, Copy sent to Governor Mathew, 3 June 1737. [C.O. 152, 44, fos. 110-113d; entry in C.O. 324, 37, pp. 67-71.]*

328

June 3.  
Bristol.

George Whitefield to Harman Verelst. The things I shall want are as follows: 6 shirts, 4 pair of stocking, 2 pair of breeches, 1 waistcoat, 1 close coat, 1 great coat, 1 nightgown, 1 wig, 1 hat, 6 handkerchiefs, 4 pair of shoes, 6 pair of socks, 4 pair of shoes [*sic*] and a watch. I am not yet informed what the schoolmaster stands in need of but as he is very pious and very well qualified for so good an employ I think it is but reasonable that as he leaves all for the glory of God and good of others he should have the charges of his passage borne and be provided for as one upon the mission. Pray inform the Trustees of this that I may not take any person at uncertainties. I thank you for your kind answer about the countrymen and should be glad to know whether there might not be a lot of 50 acres assigned to one of them and the other by a private contract go shares in it and so join together in cultivating

it. If so what do [you] think will be the expense? I know not whether the collection will proceed at Bath as we desire. The surmise of the Spaniards' taking Georgia is a sad obstacle. Lady Cox is gone from Bath and we cannot get persons to take out commissions; so that I know not what to say to it. I went thither in order to preach and another friend had a sermon ready but providence seems to thwart it. However I will not give it over yet and if there be any probability of success I hope nothing will be wanting on the part of your humble servant. *Signed*, G.W. 2 pp. [C.O. 5, 639, fo. 250, 250d.]

## 329

June 6.  
Palace Court.

Minutes of Common Council of Georgia. Read, a grant of 300 acres of land in trust to William Horton, Thomas Hawkins, Willes Weston and Thomas Hird of Frederica, to be cultivated to raise a maintenance for a minister at Frederica and other religious uses; sealed the same, secretary to countersign it. Read, a petition of John Vat praying for payment of the balance of 46*l.* 8*s.* 7*d.* Carolina currency due for provisions for his servant and for an allowance for his service as secretary in Georgia for Salzburch affairs; resolved, that Mr. Causton be directed to pay the said balance to Rubrecht Kalcker in Georgia, and that 60*l.* sterling be paid to Mr. Vat which with 27*l.* 15*s.* already paid him is in full for his services in Georgia and his attendance here. Resolved, that skins imported from Georgia by the *Two Brothers* weighing 3068 lbs. be sold to Mr. Simond for 415*l.* 9*s.* 2*d.* being 2*s.* 8½*d.* a lb. Sealed articles of agreement with Samuel Smallwood to serve as clerk to the storekeeper at Frederica for three years; secretary to countersign. Received from Mr. Causton a bill of parcels amounting to 188*l.* 8*s.* 4*d.* made payable to William Clay dated 22 February 1736/7. Resolved, that any five of the Common Council be empowered to draw on the Bank of England after 9 June to pay the said bill in case Messrs. Knight & Shuttleworth will give their note to be answerable for the same in case sola bills shall appear hereafter to have been given in payment for the said account upon or since 22 February. Received from Robert Ellis three accounts which by his letter of 21 March 1736/7 amount to 372*l.* 19*s.* 2½*d.* sterling; referred the same to committee of accounts. Resolved, that it be referred to a committee to consider of a plan for the churches to be built in Georgia, any three of the Common Council to be of the said committee. 3½ pp. [C.O. 5, 690, pp. 85-88.]

## 330

June 6.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 20*l.* paid in by Sir Hans Sloane, 22 October last (being his first payment on the renewed contract with the botanist) to be applied for encouraging and improving botany and agriculture in Georgia. Ordered, that circular letters be sent to such Trustees as have subscribed for the building of churches in Georgia to desire them to pay in their subscriptions. Resolved, that it be referred to the committee of correspondence to appoint a fast to be held in Georgia. 1 p. [C.O. 5, 687, p. 21.]

## 331

June 6.

Benjamin Martyn to Bailiffs and Recorder of Savannah, directing that an enquiry be made into the state of Joseph Watson's mind. If he is of sound mind, judgment is to be given against him according to the verdict of the court before which he was tried. *Entry*. ½ p. [C.O. 5, 670, p. 310.]

## 332

June 6.

Grant by Trustees for Georgia to William Horton, Thomas Hawkins Willes Weston and Thomas Hird of 300 acres of land in Georgia in trust for the religious uses of the colony. *Entry*. 1½ pp. [C.O. 5, 670, pp. 350-351.]



333

June 7.  
Whitehall.

Alured Popple to Francis Wilks.<sup>1</sup> Mr. Yeamans, Mr. Sharpe and Mr. Coope having returned their answer to my letter of 20th of last month about English and French navigation in America, if you have any observations to make thereon their lordships will receive them to-morrow or Friday morning between 11 and 12. *Entry.* 1 p. [C.O. 324, 12, p. 230.]

334

June 7.  
Whitehall.

Same to Francis Fane enclosing seven Acts passed in Massachusetts in 1736 for his opinion in point of law, vizt. Acts for apportioning taxes of 29,953*l.* 7*s.* 6*d.*, 3135*l.* 5*s.* (for payment to representatives at General Court of 1735) and 140*l.* (fine on towns for not sending representatives); for granting duties on shipping; for granting 3000*l.* for support of the governor; concerning surviving trustees of the first 50,000*l.* loan; to prevent multiplicity of lawsuits; to enable overseers of the poor and selectmen to take off idle and disorderly persons; for rebuilding Miles Bridge. *Entry.* 2½ pp. [C.O. 5, 917, f*os.* 99*d*-100*d.*]

335

June 10.  
Savannah.

John Wesley to Harman Verelst. I have received the four boxes of which you was so kind as to give me advice as well as the bundle for Mr. Causton. I cannot imagine how you can support yourself under such a weight of business as lies upon you. May He who alone is able so support you that in the greatest hurry of temporal things you may never forget that there are things eternal. *Signed.* ½ p. [C.O. 5, 639, f*o.* 306, 306*d.*]

336

June 10.  
Inverness.

John Hossack to Harman Verelst. We have received your letters of 23, 30 April and 7, 14, 28 May. We could not propose a fitter person to recruit servants than MacBean: it is a very fatiguing task, some of them making their escape and others carried off by their friends who will not allow them to go abroad. The Trustees' allowance for engaging money and clothing is already exhausted. Had the ship come a month ago the number had then been furnished and money saved. MacBean ought to be rewarded; we have not let him know how little is proposed for him lest he abandon the service. We have not yet heard who the Alexander Grant is that furnished six servants for the gentleman in London though we have wrote to the country for information. The reports which Lieut. Hugh Mackay gave of the colony has created some jealousies among the commons though it did not ascend higher. In the character which MacBean gave we think he meant to distinguish between his and Capt. George Dunbar's recruits. The plaids if they are all had will not be so much to satisfaction as if the time which will probably pass had been allowed us for having them made by direction. *Signed.* 1 p. [C.O. 5, 639, f*os.* 255-256*d.*]

337

June 11.  
Georgia Office.

Harman Verelst to Thomas Causton. The Trustees on 6th inst received your letter of 24 March with enclosures. The next day Mr. Simond presented sola bills with your certificate of having received the value of Messrs. Samuel Montaigut & Co. to the amount of 1017*l.* which with the 433*l.* you before advised of having paid away makes together 1450*l.* of the 1500*l.* sent over. The certified accounts already received without sola bills attending them will therefore now be examined and reported upon for payment, and as it may be hoped you have before this time received from Capt. Dymond the 1000*l.* in sola bills sent you by him you will thereby be supplied for making payments for provisions and the absolute necessities of the colony without having occasion to send over any more certified accounts for payment in England. Yet copies of accounts must continue to be sent to satisfy the Trustees

<sup>1</sup> This entry is wrongly addressed to John Yeamans.

of the particulars for which their sola bills are paid. The Trustees will continue to send over their sola bills for payments in Georgia and your corresponding by every opportunity will inform them of your foreseen occasions in order that you may be regularly supplied with them. Directions relating to Mr. Watson's affair are enclosed. *Entry.*  $\frac{3}{4}$  p. [C.O. 5, 667, fo. 21d.]

338

June 14.  
St Christopher's.

Governor William Mathew to Alured Popple, enclosing No. 339. *Signed.*  $\frac{1}{2}$  p. *Endorsed,* Recd. 20 August, Read 24 August 1737. [C.O. 152, 23, fos. 35, 35d, 39, 39d.]

339

June 14.  
St. Christopher's.

Same to Council of Trade and Plantations. The account of the city of Panama being wholly burnt except one church coming hither round about by Curaçao may possibly be an old story in London. But I believe I shall be the first to inform you that Brasovant, the famous Spanish *garde-côtes* with two others in company with him, has been taken (himself killed) even on the Spanish coast by three Dutch privateers fitted out from Curaçao wholly for that purpose. Their further intention it seems was to find out a row galley which the Biscay Company keep along the coast of Caracas to prevent all illicit trade and to destroy her too. Yesterday a new governor arrived at St. Eustatius and with him Mr. Phillips who comes out to repossess himself of his government of the Dutch part of St. Martin's from whence he was driven by the inhabitants. But these gentlemen come in very bad plight, having been met with by the Spaniards who stripped them very bare, carried their vessel well-laden to Havana, and left these two gentlemen to get to their governments as they could. It is said they were even twice taken by the Spaniards. But a worse piece of news is that Capt. Hinslow bound hence from this island full laden with sugars was taken by a Spanish vessel very near to Bermuda and was carried to Havana: his chief and second mate are now at St. Eustatius. There is likewise a Bristol ship bound to Jamaica carried into Porto Rico; I can't learn the ship's or the master's name as yet.

Mr. Arbuthnot in his way up hither from Tortola touched at St. Eustatius in distress; he was in a schooner formerly one of the *garde-côtes* I fitted out to protect our trade. Germa, the Venetian, and Sageran, the Frenchman, immediately got her seized in reprisals for the French seizures she had made and they pretended some interest in. But with much persuasion and out of regard to Mr. Arbuthnot, she was permitted to proceed with him. But they took some of her guns out of her, so little did they wait for having their pretensions, which they know to be false ones, supported at home. Mr. Arbuthnot tells me that though I have called in my *garde-côtes* which pretty sufficiently broke through the illicit trade between the French and Rhode Islanders at St. Eustatius, yet as their supplies do not come as plentifully from Martinique and Guadeloupe as formerly, they have thought it worth their while nevertheless to bring up great quantities of French sugars even from St. Domingue, that the St. Eustatius bay is covered with them, and persons of best distinction there without the least reserve averred to him that no fewer than 6000 cask shifted into English hogsheads were designed through these islands for the British markets. It is said a Spanish man-of-war took Hinslow. *Signed.* 3 small pp. [C.O. 152, 23, fos. 36-38d.]

340

June 14.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. Since my last of 12 May, in answer to a proclamation I issued for that end (as per enclosed print), I have received yours of 8 February last, the purport whereof was answered by what I wrote you 10 May. I shall in all things



(within my power) pursue such orders as I may receive from time to time respecting the settlement of the boundaries betwixt this province and New Hampshire. The assembly here has been sitting three weeks but are hardly come to any results of a public nature. I herewith send you their journal so far as it has got into print. Nothing shall be wanting on my part to promote H.M.'s authority and honour with the welfare of his subjects. *Signed.* 2½ small pp. *Endorsed,* Recd. 1 August, Read 7 September 1737. *Enclosed,*

340. i. Journal of House of Representatives of Massachusetts, 25 to 28 May 1737. *Printed.* 12 pp.

340. ii. *New England Weekly Journal*, No. 529, Tuesday, 24 May 1737, containing Governor Belcher's proclamation of 23 May requiring a packet, supposed to have been secreted by evil-minded persons, to be sent immediately to him. *Printed.* 2 pp. [C.O. 5, 880, fos. 40-48d.]

## 341

June 14.  
Whitehall.

Council of Trade and Plantations to Committee of Privy Council. We have considered the petition of Alexander Skene and James Abercrombey for payment for surveying the boundary between South and North Carolina. [See No. 266 i.] In 1729 Lieut.-Governor Gooch of Virginia desired our directions in a similar question, instancing payment in 1711 for the same service out of the quitrents by warrant from the Treasury. We are informed a warrant was accordingly directed to Mr. Gooch. We conceive the same method to be proper in this case. *Entry. Signatories,* Fitzwalter, James Brudenell, Arthur Croft, R. Plumer. 3 pp. [C.O. 5, 401, pp. 216-219; draft in C.O. 5, 381, fos. 246-247d.]

## 342

June 15.  
Palace Court.

Minutes of meeting of Trustees for Georgia. The accountant acquainted the Trustees that the following bank receipts came to his hands since last meeting and were exchanged with the bank 13th inst. vizt. for 21*l.* 13*s.* 4*d.* for James Oglethorpe's subscription for botany and agriculture; for 11*l.* 13*s.* 4*d.* for George Heathcote's subscription for the same; for 2*l.* 15*s.* 10*d.* which, with 412*l.* 13*s.* 4*d.* accounted for, makes 415*l.* 9*s.* 2*d.* received of Messrs. Peter Simond & Co. for 7 cases of deerskins imported from *Two Brothers* weighing 3068 lbs. sold to them at 2*s.* 8½*d.* a lb.; for 352*l.* 15*s.* 2*d.* paid in by George Heathcote to balance his imprests. Received, receipt from the bank for 30*l.* paid in by Duke of Richmond for encouraging and improving botany and agriculture. 1½ pp. [C.O. 5, 687, pp. 22-23.]

## 343

June 15.  
Georgia Office.

Benjamin Martyn to Rev. John Wesley. Rev. Mr. Burton has this day laid before the Trustees a letter from you to them dated at Savannah, 4 March 1737, wherein you express a concern that they should receive an accusation of your embezzling any part of their goods and likewise a desire to know the name of your accuser. The Trustees have ordered me to assure you that they are very much surprised at any apprehension you have of such accusation being brought before them. No complaint of any kind has been laid before them relating to you. They have never as a board nor any of them privately heard of one, nor have they the least suspicion of any ground for one. They would not (if they had received any) form a judgement of you without acquainting you with the accusation and the name of your accuser. At the same time they believe you will think it reasonable to let them know who has informed you that any such accusation has been brought before them and that for the future you will only regard what may be sent to you from them and that you will not believe nor listen to any private informations or any insinuations that must make you uneasy and may lead you to distrust the justice of the Trustees and the regard they have for you. They are very sensible of the great importance of the work you are engaged

in and they hope God will prosper the undertaking and support you in it, for they have much at heart not only the success of the colony in general but the promotion of piety amongst the people as well as the conversion of the Indians. They are very glad to find that Mr. Causton has seconded your endeavours to suppress vice and immorality and that a reformation gains ground as you observe it does. *Entry*. PS. The Trustees will consider your application in favour of Robert Hows. 1 p. [C.O. 5, 667, *fos.* 21d-22.]

344

June 15.  
Boston.

Josiah Willard to [? Alured Popple]. By the *New Cambridge*, Capt. Morris, I have sent the following public papers of Massachusetts: minutes of council, September 1736 – April 1737; minutes of assembly, November 1736; the laws then made; treasurer-general's account for 1735. *Signed*. PS. This letter should have gone with the public papers but was casually left behind. 17 September 1737. 1 small p. *Endorsed*, Read 21 September 1737. [C.O. 5, 880, *fos.* 69, 69d, 72, 72d.]

345

June 15.  
*Hawk* in  
Frederica River.

Capt. James Gascoigne to Benjamin Martyn. Your favour of 13 January reached me (at this place) the beginning of April which being about the time of the height of the alarm of the Spaniards' intentions prevented its being answered in due time, I being obliged to keep all the colony boats employed (for intelligence) to the southward. I own the greatest satisfaction to myself in the good opinion the Trustees have of my discharging my duty. *Signed*. PS. I am lately come in from cruising between this place and St. Augustine where everything seems quiet at present. *Rose* and *Shark* are returned to Carolina and the people at Frederica returned to their work. 1 p. *Endorsed*, Recd. 14 September 1737. [C.O. 5, 639, *fos.* 365-366d.]

346

[June 15 (O.S.)]  
June 26 (N.S.).  
Rotterdam.

John Mathias Kramer to [Harman Verelst<sup>1</sup>]. Immediately after my arrival in this town I endeavoured to pick out from the great number of Palatines now in town 60 able-bodied servants for Georgia according to the orders given me, and I have employed Mr. Hope for the same end. But I have not as yet been able fully to succeed therein by reason that everyone is inclined to go to Pennsylvania and is in hopes that the captains of ships will take them on board and carry them without paying for their passage. But since the number of such poor as cannot pay for their passage is very great, it is doubtful whether they will be all carried over. Consequently when they at last shall know not how to shift they might possibly be persuaded to go to Georgia. I have thought it necessary to give the speediest notice thereof to the Trustees that in case they should resolve upon my attendance on this occasion they might send over their commands, upon which I shall remain here till all ships for Pennsylvania shall be gone. But as it is not to be presumed that any persons of substance shall be left behind by the captains for Pennsylvania but only such as cannot pay for their passage, and as Messrs. Hope cannot send a ship to Georgia with 60 persons but require 140 to 150 at least, it will be necessary to have orders whether I might increase the first required number of 60 to 140 or 150 servants in order to have a full loading. But as this will require two months time or more, I hope the Trustees will send without delay sufficient money towards my necessary expenses and subsistence here. *German. Signed*. PS. Letters directed to me under cover of Mynheer De Heere Peter de Kocker, Koopman, Rotterdam, will come to hand. 4 pp. [C.O. 5, 639, *fos.* 277-278d. English translation, 2 pp., at *fo.* 274, 274d.]

<sup>1</sup> See No. 366.



**347** The Case of the British Northern Colonies, representing the advantages of the molasses trade between the British colonies and the French and Dutch sugar islands. *Printed. 3 pp. Endorsed, Recd. from Mr. Wilks. Recd., Read 16 June 1737. [C.O. 323, 10, fos. 110-111d.]*

**348** Lieut.-Governor George Clarke to Council of Trade and Plantations. June 17. On the 15th the assembly met and chose their speaker. I made a short New York. speech to them and yesterday they addressed me. The majority is of those who opposed me before I was appointed lieut.-governor. But if appearances do not deceive me I have reason to hope they will make good the deficiencies of the revenue and give another. They will expect from me at the same time such laws for the good of the province as I can pass. More than that, the speaker tells me, they will not insist on. If they keep within those bounds, provide for the deficiencies, and give a further revenue, the province will soon raise its head and become a flourishing country. The house seems to be in very good temper: we met and now part well satisfied with each other. The speaker is very open with me and gives me room to think that I shall at their next meeting be able to give you a very good account of them. The harvest drawing nigh, I have directed the house to adjourn to the fourth Tuesday in August and am this day going to Albany to meet the Six Nations. *Signed. 1 p. Endorsed, Recd. 26 July, Read 7 September 1737. [C.O. 5, 1059, fos. 28, 28d, 31, 31d.]*

**349** Same to Duke of Newcastle, enclosing copy of No. 348. I think I June 17. have a fair prospect of getting this assembly to support government New York. and to make good the deficiencies of the revenue. *Signed. ½ small p. Endorsed, Recd. 26 July. Enclosed, i. Copy of No. 348. [C.O. 5, 1094, fos. 30-32d.]*

**350** Duke of Newcastle to Council of Trade and Plantations, directing June 17. that drafts of a commission and instructions be prepared for Sir Whitehall. Orlando Bridgeman to be governor of Barbados. *Signed. ½ p. Endorsed, Recd., Read 17 June 1737. [C.O. 28, 24, fos. 216-217d.]*

**351** Harman Verelst to Thomas Causton. The author of the benefaction June 17. to the third transport of Salzburghers has extended it to supply a cow Georgia Office. and calf to every five heads of the 55. The Trustees desire you will provide them. *Entry. ½ p. [C.O. 5, 667, fo. 22d.]*

**352** John Brownfield to Trustees for Georgia enclosing the whole account June 19. of improvements in this township excepting what has been done on Savannah. the trustees' lots and that shall be sent very soon. It was not in my power to mention the exact time when each person became possessed of his land, the surveyor having kept no certain account and the people in general being unable to form any near computation of the time their lands were showed to them. Several in Percival and Heathcote ward but especially the latter do not yet know where their farms lie, otherwise they would have made some improvements on them and more particularly those whose garden lots consist of poor land. Many people who have cleared land complain of their neighbours for not clearing because the vermin and insects bred in uncultivated lands destroy the crop of those who have planted and the trees standing upon

unimproved lots overshadow and prevent the corn from growing on such cleared lands as are adjoining to them. Neglect of fencing is likewise an article of great consequence; several lost their crop last year because those whose lands lay next them had either made no fence at all or but imperfect ones, and it is very disheartening for a person to fence the side of his neighbour's land as well as his own. If all were to join in fencing their lots it would not lie so heavy upon particular men as it does now, for then each person must bear his proportion in labour, whereas now several who have planted are obliged to fence more than comes to their share in order to prevent cattle from devouring their crop.

I have throughout this account of improvements mentioned the lots which belong to such women who after their husband's death became possessed of lands and married again under the name of those womens' last husbands. Sometime in May before Mr. Jones went to mark out the town of Augusta I enquired of him concerning such lots as have been exchanged, forfeited and elapsed. He acquainted me with most of the alterations which have happened since the deed of conveyance from Christie and Calvert, and those things that Mr. Jones could not satisfy me of I have learnt from the persons now in possession of the lots where such alterations have been made and from the constables of those wards to which the respective lots belong. But as to the circumstances of time very few could set me right.

You will observe that several people have cleared and fenced but not planted their lands. The reason which they give for it is the want of provisions, and some who have hired men to work with them upon their lots were obliged to leave off and discharge their hands, they not having victuals to support them whilst the planting season lasted. Our fort took up a great deal of time and the reason we had daily to expect an attack kept our men chiefly in town and was consequently a large stop to their improvements. I am glad to find that the making out this account and the expectation of its being continued has already inclined some people to enlarge their improvements. I should have finished and sent you the enclosed papers eight or ten days sooner but that a few who were desirous of having their improvements set forth desired me to stay, one till his garden lot was quite cleared, another till he had finished his fence, and a third told me that if I could but stay a week he did not doubt being able to get his house raised. To all these I gave assurances of my willingness to oblige them but yet seemed very uneasy lest you should think me dilatory. What appeared most extraordinary was that upon making a close enquiry of indifferent people concerning the accounts which had been given me, I found scarce any overcharge.

It would be failing in my duty should I not acquaint you with the great hardships which those people labour under who have only pine lands to employ their industry upon. Such lots may indeed be soon cleared but then the crop they produce is so very small that it discourages the most painstaking people amongst us and is a strong reason why men do not cultivate those lands. For the timber growing upon them being sawed out will yield a better maintenance than the land can do. I need not take up your time by mentioning many instances since the following one may be sufficient. Count Zinzendorff's people who live in Savannah have for two or three years past been endeavouring to improve the farm lot belonging to Mr. Spangenberg which consists of pineland. They cleared and planted 30 acres the first year and it produced near 20 bushels of corn. Last year they planted 20 acres (leaving the rest to grow up again) and their crop was not above 12 bushels. I could mention several besides but am persuaded that you will judge this a sufficient instance since Count Zinzendorff's people are truly industrious and a great many of them were employed upon Mr. Spangenberg's farm.

Several of the pine garden lots in this township being cleared makes the enclosed



account seem more considerable than it would otherwise do, but when the little difficulty of clearing and smallness of the crop comes to be considered it will plainly appear that half an acre of good land requires near as much labour to clear it and will yield more grain than five acres of pine. Had the inhabitants of Savannah built less in town they might have made large improvements in the country and would not at this time be in want of bread. But a general error has prevailed amongst us, that of getting up houses before we had anything in the ground. From thence proceeds our having a large town without provision to support it and the people having been accustomed to live here had but little inclination for the country. This evil at first sprung from their want of lands and several still labour under the same necessity.

The Jew family named Nunes intend to plant vineyards if they can obtain leave from you to exchange their swamp lots for such as are dry. I have in the references to Deckers ward mentioned Isaac Nunes Henriques improvements more particularly than the rest because he has expended more in attempting to drain a swamp lot than anyone here besides. But all the family are equally desirous with him to plant vineyards and each has made preparations for it, having vines ready to transplant and some in great forwardness. Since the enclosed account was made up I have been informed that James Dormer's garden lot in Vernon tithing and Heathcote ward stands leased to Austin Weddall who took the same because he had no land of his own marked out. I am also told that Weddall has since assigned the said lease unto Joseph Wardrop, but the papers cannot yet be found. I perceive by Mr. Jones's book that the garden lot No. 54 lying southwest of the town is Ed. Parkers's but neither a house lot nor farm is annexed to it, so that one of the vacancies does certainly belong to him. I am not well assured whether one or two lots in the Lower New ward mentioned to be granted by James Oglethorpe were so or not.

If any little omission should appear amongst the enclosed papers it has proceeded from my not being able to get thorough information, but if there should happen to be any mistake I hope you will order it to be amended. My utmost care has been used to prevent errors in this account; the taking it first rough by going from house to house, then writing the same fair, getting it signed and copying the leases has kept me in full employ ever since the latter end of April till very lately. Some few people being out of town have not signed to the enclosed account, which I am unwilling to lose this opportunity of sending and therefore hope you will excuse me; for as those people have made little or no improvements their signing could not be very material. I beg your acceptance of this small trifle as an earnest of my gratitude and duty. Had not the bearer gone away so soon I should have wrote more fully concerning the state of improvements here but that must be done in my next letter. I am very thankful for your goodness in allowing my sister to come over. *Signed. 4 pp. [C.O. 5, 639, fos. 367-368d.]*

353

June 20.

Lieut.-Governor William Gooch to Council of Trade and Plantations.

The inconsiderable progress made in any trade or manufactures in this colony since the last time I wrote on this subject affords me very little new to trouble you with.

Laws: none subsisting whereby the trade or manufactures of Great Britain can be anyway injured.

Trade: our trade besides tobacco, lumber, pitch, tar, skins and fur to Great Britain, is a little tobacco, beef, pork, wheat, Indian corn, lumber and candles made of myrtle wax to the British West Indies, for which we have in exchange sugar, rum, molasses and sometimes money. To Madeira we send wheat and Indian corn with some candles and bring back their wine, but in this commerce the balance, much against us, is paid in bills of exchange.

Iron works: we have four furnaces in this colony for making what is called pig and sow iron, all which till very lately has been sent to Great Britain. But the undertakers have had such poor encouragement that I question whether they would continue their fires if they could turn their hands to anything else.

Forge: we have one forge for making bar iron for our own use only. None of it has been yet exported but what has been made more than the people want lies in hopes of a suitable encouragement from the Parliament for shipping of it to Great Britain discharged of the present duty; and if that can be obtained a much greater advance may be made therein for it is found to be very good and equal in toughness to the best Swedish iron.

One Air Furnace: here they run pots, backs for chimneys, andirons and boxes for cartwheels, sold about the colony and exported by the undertakers to other parts of the continent and to the British Islands, who I believe have gained nothing considerable by their trade.

Potter's work: the potter continues his business (at Yorktown) of making pots and pans with very little advantage to himself and without any damage to trade.

Vineyards: as to our hopes of wine, notwithstanding the severity of the last winter than which a longer and colder was never known here, there is at present a prospect of a pretty plentiful vintage for the number of vines planted out, chiefly of the burgundy and frontinac grape. But as it is the moisture or drought in the season of July and August that will determine their fate I must wait till then to inform you of this year's success. The same gentleman, Col. Armistead, has attempted the making of Verina tobacco of which he sent to London the last year about 5 cwt., and this year he tells me he shall ship about 80 cwt. of it. As he manages it with great secrecy for fear of followers, I am apt to suspect the complaint he makes of the poor price the 5 cwt. is sold for is artifice; but whether it is so or was owing to the unskillfulness of his merchant or to the difference of the climate is a point I cannot determine, though it is certain even here it exceeds in fineness of scent any tobacco that has ever been made before, and the same sort made in the Spanish West Indies, I am told, yields a pistole a pound in Holland.

I must now give you notice of a late discovery in the physical way which has made some noise here. One Tennant, a surgeon, observing the effects of an herb called the rattlesnake root in the cure of such as have been bitten by the snake of that name and judging it might be as effectual in other maladies proceeding from coagulations of the blood, has for some time used a tinctum thereof with great success in the pleurisy, an epidemical distemper among the negroes every winter and what the white people are very subject to. He goes this summer for London, and I have ventured to recommend him to Dr. Mead for I make no question it will be serviceable not only here but there.

The export of tobacco this year will be much larger than for some years past and the season hitherto proving very favourable there is a very great crop on the ground. This letter is committed to the care of Col. William Randolph, one of the council, who comes home for the advice of physicians and the use of the Bath. I have desired him to inform Mr. Popple where he may be found in town in case you should be willing to ask him anything concerning this country. *Signed, 3 pp. Endorsed, Recd. 16 August, Read 14 September 1737. [C.O. 5, 1324, fos. 59-60d.]*



355  
June 20.  
St. James's.

Commission to the same to be captain of the independent company in South Carolina. *Entry.* 1½ pp. [C.O. 324, 37, pp. 74-75.]

356  
June 20.  
Whitehall.

Duke of Newcastle to Council of Trade and Plantations, directing that drafts of a commission and instructions be prepared for Edward Trelawny, appointed governor of Jamaica. *Signed.* 1 p. *Endorsed,* Recd., Read 21 June 1737. [C.O. 137, 22, fos. 129-130d.]

357  
June 20.  
Whitehall.

Same to same directing that drafts of commission and instructions be prepared for Lord Delawarr to be governor of New York and New Jersey. *Signed.* ½ p. *Endorsed,* Recd., Read 21 June 1737. [C.O. 5, 1058, fos. 175-176d.]

358  
June 21.  
Whitehall.

Alured Popple to Attorney- and Solicitor-General. In 1735 H.M. assented to an Act passed by the Trustees for Georgia for maintaining peace with the Indians in Georgia, now enclosed. Such parts of this Act as lay restraints on the Indian trade are become matter of contest between South Carolina and Georgia which makes it necessary for the Council of Trade and Plantations to have your opinion upon the following queries: whether an Act of the Trustees of Georgia or of any assembly passed in the colonies abroad and confirmed by the crown can grant to any of the said provinces an exclusive trade with the Indians dwelling within their respective provinces; does the Act above mentioned exclude all persons whatsoever whether inhabitants of Georgia or not from trading with the Indians settled within the bounds of Georgia as described by the charter except such as shall take out licences according to the directions of the said Act. *Entry.* 2 pp. [C.O. 5, 401, pp. 219-221.]

359  
June 22.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Read, a memorial to the Treasury for directions for the issuing of the 20,000*l.* granted the last session of Parliament towards securing and settling Georgia. Secretary to sign the same. Received of Mr. L'Apostre, 10*l.* subscription towards building two churches in Georgia and other religious uses. 1 p. [C.O. 5, 687, p. 24.]

360  
June 22.  
Benjamin Martyn to Commissioners of the Treasury praying for directions for the issue of the 20,000*l.* granted by Parliament for Georgia. *Entry.* ½ p. [C.O. 5, 670, p. 310.]

361  
June 22.  
Whitehall.

Council of Trade and Plantations to President John Hamilton. We should have answered your letters of 2 November 1736 and 25 March 1737 but H.M. has appointed Lord Delawarr governor of New York and New Jersey. We desire that until his arrival you will do your utmost to preserve the tranquillity of the province under your command. *Entry. Signatories,* T. Pelham, James Brudenell, R. Plumer. 1 p. [C.O. 5, 996, p. 399.]

362  
June 22.  
Whitehall.

Same to Lieut.-Governor George Clarke, informing him of the appointment of Lord Delawarr as Governor of New York and New Jersey. We desire that until his arrival you do your utmost to preserve

the tranquillity of the province. *Entry. Signatories*, T. Pelham, James Brudenell, R. Plumer. 1 p. [C.O. 5, 1126, fo. 21.]

363

June 22.  
Georgia Office.

Trustees for Georgia to Sir Robert Walpole. Having in April last presented a memorial to you, and as there was then a great hurry of business and this is a time of more leisure, we hope you will permit us to remind you of it since every day's advices confirm the necessity of having a speedy resolution taken thereupon. We therefore give you a copy of that memorial which is as follows: The colony of Georgia being entrusted by H.M. to our care we think ourselves obliged to inform you of the situation of it and that the 20,000*l.* granted by Parliament this year will not maintain the colony farther than Lady Day 1738. The expense of the colony at first looks large but if you consider that the Trustees have hitherto protected as well as improved the colony out of the parliamentary and other money you will find that it has not been so expensive as other colonies. The military defence of Nova Scotia and Annapolis stands the king in 13,000*l.* yearly though there is no improvement made in that province. Most of the American colonies are at least as expensive as Nova Scotia and Annapolis, the charge of which is either paid by the king for troops, artillery etc., or by taxes raised upon the people of the colony or by both. Thus Jamaica stands the public in 14,000*l.* a year upon the estimate besides the governor's salary out of the civil list and the taxes raised by the country; so that the whole expenses of Jamaica are near 30,000*l.* yearly.

Seven thousand pounds a year will be necessary to defray the expense of the civil government, maintaining persons newly arrived, preserving a good harmony with and supporting the Indians and carrying on the other improvements of the province such as raising of silk, wine, oil and other produces, the expense whereof private persons are not able to bear and which the Trustees apprehend is the reason why English America has not yet produced any quantity of them though their climate and soil are very proper for them. It will be expedient also that the sum intended to be granted to the Trustees be put into the estimate laid by the crown before the Parliament for it will be impossible for the Trustees every year to take upon them to proceed by petition nor can they be expected to hazard the making contracts for men, provisions etc. (which is necessary to be done the year before) upon the precariousness of their petition's being received or a sum voted upon it.

Carolina and Georgia are almost surrounded by the French and Spaniards (who lie upon the same continent and can march into the former through the latter by land). The many improvements there made and the harbours now discovered occasions those powers to be covetous of them and the more those provinces improve the stronger their desire will be of getting them, for Georgia is the key of all North America. And if they possessed those ports they could by cruising from thence search all the Carolina and Virginia homeward-bound ships and would probably confiscate many of them since they generally bring Spanish silver home which is the only coin current in America. For these reasons the Trustees humbly apprehend that it will be expedient for H.M. to order a regiment of 700 men to be raised which being properly posted upon the islands and along the river will protect both those provinces from the Spaniards; which seems to be more immediately necessary since the Trustees have information from eye-witnesses and men worthy of faith that the Spaniards are fitting up barracks at St. Augustine for a regiment of 500 men which they daily expect and which with those already there will make up 1100 regular troops, and that the French have 2500 regular troops in their province next adjoining to Georgia and Carolina. *Signed*, Robert Tracy, James Vernon. T. Archer, Robert Cater, J. Page, Edward Digby, R. Holland, Stephen Hales, Henry



Lapostre, John Laroche, Robert Hucks, George Heathcote, William Sloper, Thomas Tower, Christopher Tower, William Heathcote, Thomas Frederick, Shaftesbury, Egmont, Talbot, Tyrconnel, Carpenter, James Oglethorpe, H. Archer, R. Chandler. 2 pp. [C.O. 5, 654, fos. 109-110d; entry in C.O. 5, 667, fos. 23d. 24.]

**364** Lewis Morris to Duke of Newcastle. On 22 October 1736 I gave you  
June 23. an account of my arrival in Jersey and the reception I there met with.  
Morrisania. I have not received H.M.'s directions. I send a print I published on  
Mr. Hamilton's Reasons. *Signed.* 1 small p. *Enclosed,*

364. i. Observations on the Reasons given by Mr. Hamilton's advisers for detain-  
ing the seals of the province of New Jersey. The substance of Mr. Morris's case is his  
seniority in the council and a royal instruction to him as president of New Jersey  
dated 1 June 1736. *Printed.* 11 pp. [C.O. 5, 983, fos. 83-90d.; another copy of the  
'Observations' in C.O. 5, 980, fos. 114-119d.]

**365** Thomas Hawkins to James Oglethorpe. By Capt. Symonds I had yours  
June 24. with the commission. I return hearty thanks. We have lost no people  
Frederica. since my last at either settlement and have but few ill at present, most  
of which are on the recovery. On 11th instant Dr. Lassell's son was unfortunately  
drowned being in the river with many other boys; he was found 14th and buried by his  
father; there is about 4l. 10s. sterling lodged in my hands which shall be remitted his  
brother or defray the charges of the funeral etc. as you shall advise. The account of the  
public building is so bad that I dread mentioning it to you, there not having been a brick  
made since your departure from Savannah or a board sawed. My house is yet unfinished  
but hope in a month's time to do it on my own expense if they do not proceed. We have  
a good assortment of drugs remaining in the chest and have occasion only for the  
enclosed catalogue to Mr. Verelst. There is and has been for near two months since a  
great want of provision and great complainings amongst the people so that we dread  
the consequence. What can be done to pacify them will not be wanting from Mr. Horton  
or town-magistrates. A more particular account of the present state of affairs is apparent  
from Mr. Horton's advices. *Signed.* 1 p. [C.O. 5, 639, fos. 370-371.]

**366** Harman Verelst to John Mathias Kramer at Rotterdam. I will lay  
June 24. your letter of 26th inst. (N.S.) before the Trustees next Wednesday.  
Georgia Office. I believe they will not increase your instructions which are confined  
to 60 servants; and if that certain number cannot be complied with for Mr. Hope to  
engage in to send a ship to Georgia, your solicitation will be at an end and therefore  
improper for you to stay at Rotterdam at expense. I shall write to you again this day  
severnigh which may be sent after you if you go from Rotterdam before. *Entry.* ½ p.  
[C.O. 5, 667, fo. 23; draft in C.O. 5, 639, fo. 275.]

**367** Samuel Eveleigh to Harman Verelst. Yours of 24 March came by  
June 25. Capt. Dymond who arrived at Cockspur Island the 5th current; thank  
S. Carolina. you for your promise to pass my certified accounts as soon as possible  
which I hope will be this month and then some part of it will be 13 months after I had  
paid for the same: the interest whereof is 11l. whereas I charge but 5 commission and  
besides I charge nothing for storage etc. by which you may see that I get nothing by it.  
I have supplied Mr. Causton since Mr. Oglethorpe's departure with provisions and other  
necessaries to a considerable sum; but he writes me he must keep the sola bills for others  
and therefore cannot pay me so that I am weary of supplying him. I forwarded a packet

from Georgia to you by Capt. Ayers and shall forward another by Capt. Paul now ready to sail. Herewith you will receive the *Carolina Gazette* to this day. I desire you will acquaint Mr. Oglethorpe that Mr. Wood and several other traders are come down from the Creeks who inform me that the Indians and others give them an account that the French design to attack the Chickesaws about the middle of next month when the corn is ripe, that the Chickesaws are strongly enforted, that the French design to bring up great guns and mortars against them, and that the traders in general are afraid the French will rout them. Here is no news of any moment stirring but a general complaint throughout the province of the want of Indian corn which is now sold for 30-35s. per bushel. *Signed.* 1 p. *Endorsed,* Recd. 21 September 1737 [C.O. 5, 639, *fos.* 373-374d.]

368

June 25.  
Inverness.

Capt. William Thomson to Harman Verelst. After a tedious passage and bad weather I arrived here 21 inst. and received your letters of 27, 28 May and 11 inst. I received on board yesterday 20 menservants for the Trustees; about 17 more are to come next week which MacBean engaged some time past. He goes to the country for them to-morrow. Provost Hossack and the other magistrates say he has been very diligent and frugal and that the allowance you have limited him to will not answer the expense of those servants already got; without the assistance of the Trustees he will not be able to pay me the money laid out for him in London by your order. Several gentlemen here are trying to get servants written for by their friends in Georgia which I hope will facilitate our departure. My deck is already raised and everything relating to it will soon be finished. I find it is more expensive and troublesome to get servants here than I imagined. Whilst in London I remember to hear you speak about servants for one Wheeler on which you have given me no instructions. *Signed.* 1 p. [C.O. 5, 639, *fo.* 258, 258d.]

369

June 28 (O.S.).  
July 9 (N.S.).  
Windhausen.

Philip George Frederick von Reck to James Vernon. All the time I have been in Germany I waited for an opportunity of writing some news about another transport for Georgia. But the appointed time of bringing the people in the river of Thames approaching I take the liberty to acquaint you: (1) that it seems as if no more Salzburghers are to be expected out of their country; (2) that Count Zinzendorff is gone himself to England to treat about his people; (3) that since the peace is made with France and the people living on the Rhine and Neckar who were expelled from their farms and vineyards being now re-established I do not hear of any thereabouts that incline to go to Georgia; (4) that the preparations of war against the Turk still continuing the levying of soldiers takes away men and boys; (5) that not finding good people and fit for labour I would not engage any idle, lazy, criminal or indebted persons who do more harm than good in a new colony. If therefore you should be pleased to employ me otherwise any further in the service of the Trustees in Georgia and to enable me to subsist there without land, having no family and which I never shall have, I shall always be ready to show you that I am with so much zeal as respect your most humble, obedient servant. *Signed,* Reck. PS. I wrote Mr. Oglethorpe some time ago; pray, my humble respects to him. Direct any letters for me to Mr. Urlsperger at Augsburg. The enclosed to Mr. Wesley<sup>1</sup> I recommend to your care. 2 small pp. [C.O. 5, 639, *fos.* 308-309d.]

370

June 28.  
Ebenezer.

John Martin Bolzius and Israel Christian Gronau to James Vernon. Mr. Ziegenhagen acquainted us in his last letter of your continued favour to us and how zealous you are to remove all difficulties our

<sup>1</sup> MS: Wesele.



people laboured under at the new settlement; we see already the good effects, in the Trustees' orders to Mr. Causton for redressing some difficulties. Ten families are provided with cows, the others are destitute of them and unable to buy even a calf. The people's corn is so damaged by worms that their crops will be lost if not prevented by providence. The reduced allowance is ordered to be given the Salzburghers to September next which we believe will be continued longer if the people should be disappointed by losing their crops. The surveyor Ross will begin running out the farms in September but the most part of the lands will happen to be barren, and if not, few acres could be of better soil to gain their bread from but they shall be forced to make it good by dung in the first time. It will be their ruin and they shall be constrained to hire themselves out like servants to a great detriment of their souls and to a destroying of our congregation. There was no order sent over for having leave to exchange the bad garden lots with better grounds. As for the building of our houses there is no hope for the present seeing the Trustees have allowed only 16*l.* sterling for three houses and hogs and poultry should be bought for the third Salzburghers of the same 16*l.* We ask you to lay our necessity to heart seeing that our living in huts not only hurts our health but is a very great hindrance to the right performance of our ministerial office. May God reward you thousand times for all the favours you heaped upon us and our flock. *Signed.* 2 pp. [C.O. 5, 639, fos. 376-377*d.*]

371

June 29.  
Savannah.

John Pye to Harman Verelst, notifying arrival in Georgia after a voyage of 10 weeks and requesting an increase in wages, things being so dear in the colony. *Signed.* PS. Pray send the enclosed to my mother.

1 small p. *Endorsed,* Recd. 21 September 1737. [C.O. 5, 639, fos. 379-380.]

372

June 29.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 10*l.* paid in by Henry L'Apostre. [See No. 359.] Received by Dr. Hales, 10*l.* 10*s.* the benefaction of a gentlewoman towards the

expenses of Rev. George Whitefield and the schoolmaster going to Frederica for the service of the mission. Received by the same, 4*l.* 4*s.* the benefaction of Rev. Mr. Vallois, Rector of East Tisted near Alton, Hampshire, towards the expenses of Mr. Whitefield and the schoolmaster. 1 p. [C.O. 5, 687, p. 25.]

373

June 29.

Petition of Trustees for Georgia to Council of Trade and Plantations.

They understand that, following the hearing of a dispute between Georgia and Carolina, certain queries have been put to the Attorney- and Solicitor-General, one of whom has been employed and instructed at the said hearing as counsel for Carolina. They have entered a *caveat* with the Attorney-General that no report may be made until they have been heard by counsel before him, and they now petition for a copy of the queries. *Signed,* Ferdinand John Paris, solicitor for the Trustees.  $\frac{3}{4}$  p. *Endorsed,* Recd., Read 29 June 1737. [C.O. 5, 366, fos. 1-2*d.*]

374

June 30.  
Georgia Office.

Harman Verelst to Rev. George Whitefield. I have received orders for clothing for you and the schoolmaster. [Details given.] The Trustees desire to know if the schoolmaster expects a salary or only food and

raiment or if he can subsist himself. As to the countrymen, one of them may have a lot

of 50 acres at Frederica and the other may live with him; they may make what arrangements for sharing the crop as they think fit. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 22d.]

375

June 30.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing the following representation upon the new proposal from the French ministers. *Entry. Signatories,* Monson, T. Pelham, M. Bladen, R. Plumer.

1 p. *Enclosed,*

375. i. Same to the King. The French ministers pretend to desire nothing but a perfect equality but we are of opinion that the abolishing the 3rd article of their edict of 1727 and making the others, which they call explanations of the treaty of 1686, together with that treaty, the rule of navigation will not answer that end; since, though the 3rd article should be repealed, yet by the 4th, 5th and 10th articles the French subjects are enjoined and commissions are directed to be given by the Admiral of France to fall on, seize and reduce by force of arms all ships whatever found within a league of any of the French islands or within any of their ports, creeks or roads, and by the 11th ships even in distress are confined to certain ports specified by name and excluded under pain of confiscation all others.

We are also of opinion that the edict, in the 12th, 13th, 14th, 15th and 16th articles all relating to the subject of the 11th and in those beforementioned, takes away the equality that subsists between the two crowns by virtue of the Treaty of Neutrality of 1686 in the fifth article of which it is expressly stipulated that the navigation for the subjects of both crowns ought in no manner to be disturbed where nothing is committed against the genuine sense of that treaty, which is explained by a prohibition clearly specified to drive any commerce or trade or to fish in the havens, creeks, roads, shoals or places possessed or which shall be possessed by each other in America; and in the 6th that in cases of distress either from weather, pirates or enemies or any other urgent necessity, the ships of war or merchantmen of either nation shall not only be permitted to enter into any of the rivers, creeks, bays, havens, roads, ports and shores of either's dominions in America, but shall be received and treated there with all humanity and kindness – stipulations of a very different nature from the regulations of the articles in the edict abovementioned; and particularly so in the case of ships in distress on which we observe that there is no such thing as choice of ports and that a ship in any of the distresses specified cannot consider what ports are open to them by virtue of the 11th article of the edict of 1727 but what are most immediately necessary for their preservation; and this seems to have been the sense of the French ministers at their conference with Lord Waldegrave although the words of the edict are express against it.

We cannot advise you to agree to the French proposal of repealing and abolishing the 3rd article of the edict and letting the other articles which they call explanatory of that treaty remain as a rule of navigation. As we are very apprehensive that any new regulation may tend to enervate the treaty of 1686 which seems to us to have been very maturely considered and wisely calculated to prevent all depredations and causes of misunderstanding in America, we repeat what we said in the conclusion of our report to you of 21 April last and are still of opinion: that all matters continue upon the foundation of the said treaty with the addition only of a specification of what shall be deemed sufficient proof of illegal trade and what shall be the form of proceedings thereon, that the French should repeal their edict and that mutual restitution should be made not only of the vessels named in the French proposals but of all others on both sides taken since the French edict of 1727 where there has not been substantial proof of illegal trade made against them. *Entry. Signatories,* as



covering letter. 5 pp. [C.O. 153, 16, fos. 59-61d; originals of both documents in C.O. 5, 5, fos. 137-141d.]

**376**

June 30.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle transmitting drafts of commissions to Lord Delawarr to be Governor of New York and New Jersey with representation thereon. *Entry. Signatories*, Monson, T. Pelham, M. Bladen, R. Plumer. 1 p. *Enclosed*,

376. i. 30 June, Whitehall. Same to the King enclosing drafts mentioned in covering letter. They are in the usual form. The necessary instructions will be prepared with all possible dispatch. *Entry. Signatories*, as covering letter. 1 p.

376. ii. Draft of the commissions to Lord Delawarr. *Entry. 22½ pp.* [C.O. 5, 1126, fos. 21d-33d.]

**377**

June 30.  
Whitehall.

Same to same, enclosing draft of commission for Edward Trelawny to be governor of Jamaica, with representation thereon. *Entry, Signatories*, M. Bladen, Monson, R. Plumer, T. Pelham. ½ p. [C.O. 138 18, p. 108.]

**378**

June 30.  
Whitehall.

Same to the King, transmitting draft of a commission for Edward Trelawny to be governor of Jamaica, which is in the usual form. We shall prepare the necessary instructions for him with all possible dispatch. *Entry. Signatories*, Monson, T. Pelham, M. Bladen, R. Plumer. 1 p. *Enclosed*,

378. i. Draft of the commission mentioned in covering letter. *Entry. 19½ pp.* [C.O. 138, 18, pp. 109-129; original of covering letter in C.O. 5, 196, fos. 218-219d.]

**379**

June 30.  
London.

Edward Trelawny to Duke of Newcastle. What condition Jamaica was in before H.M. sent to its relief six independent companies from Gibraltar appears by the address which the governor, council and assembly transmitted to the king in February 1734. [See *Cal. S.P. Col.*, 1734-35, No. 55.] What the present condition is will best appear from the last address of the president, council and assembly transmitted in November last. [See No. 156 ii.] These two addresses set forth the distressed condition of the island with regard to the rebellious blacks only. But when I consider the situation of Jamaica, that it is a frontier place surrounded as it were with the settlements of France and Spain, as also its importance to Great Britain (the sugar-trade and indeed the whole trade of the West Indies chiefly depending upon its preservation) I am fully persuaded that you will not be of opinion to take a step of such consequence to Jamaica as the withdrawing half the forces from thence without being moved to it by the legislature of the island, who you may be assured will be glad to save the subsistence money they pay to the soldiers as soon as their safety will allow them to do it. *Signed. 4 pp. Enclosed*,

379. i. Memorial of same to same. An application having been made for the removal to Georgia of the forces now in Jamaica, the memorialist represents the distressed condition of Jamaica resulting from the rebellious negroes. The negroes were much emboldened by their success before the arrival of these troops, and the government of the island being unable to send forces against the rebels was obliged to put the colony under martial law with many inconveniences. Following the address of the governor, council and assembly to H.M. in February 1734, six companies of 100 men were sent, with consequent improvements in the condition of Jamaica. Much, however, remains to be done, and to reduce the number of troops now would be to deliver the island to the blacks. There is nowhere that wants troops

more than Jamaica and no place of such importance to this kingdom. The negroes in many of the British plantations have of late been possessed of a dangerous spirit of liberty. They have actually risen in Antigua and have threatened to do it in the rest of the sugar-plantations. Should the negroes in subjection at Jamaica fall into the same way of thinking, Jamaica must instantly be lost to the whites if they have not some forces upon whose assistance they can rely, there being no manner of proportion between the blacks and whites in this island, there not being in the whole island above 8000 whites of which not above 1000 are masters of families or have any property; and the negroes in the exactest computation exceed 80,000 besides those in rebellion whose numbers are not less than 2000. 8 pp.

379. ii. Anonymous, undated paper 'Reasons for continuing the companies at Jamaica'. [*In same hand as covering letter.*] Even if the dangers from the rebels are not as great as have been apprehended, the presence of the soldiers relieves the inhabitants from going out against the negroes in parties and takes away the necessity of martial law. The fact that the soldiers have committed insults on the inhabitants, which may occasion two or three planters to be against them, is owing to the want of power of holding courts-martial extending to death, without which it is impossible for the officers to retain the soldiers as they ought to be. This may be remedied by making the governor a field-officer. 2½ pp. [*This document is filed with the two preceding but may not be an enclosure.*] [C.O. 137, 56, fos. 74-84d.]

380

July 1.  
Georgia Office

Harman Verelst to John Mathias Kramer at Rotterdam. I should be glad to know what certainty you have of engaging any more than 60 in case the Trustees should increase your instructions for a number not exceeding 100 heads; and if such a number became certain to Mr. Hope, sure others at their own expense would complete a full loading to him. Your answer to this I shall lay before the Trustees. *Entry.* ⅓ p. [C.O. 5, 667, fo. 23.]

381

July 4.  
St. Christopher's.

Governor William Mathew to Alured Popple. I have delivered to the care of Capt. Sommers a box containing the duplicate of the Montserrat Act for restraining slaves, of which I formerly sent you the original, and two Acts of Nevis, one for the better government of negroes and the other to oblige all vessels to perform quarantine that come from infected places. These I pray you will lay before their lordships. I explained the Montserrat Act when I sent it first home and have no observation to make on the two Nevis laws which are such as are in other of these islands and sufficiently explain themselves. I also send minutes of council of Montserrat for quarter ending 25 June last. I have no other public papers by me to transmit to you. *Signed.* 1 small p. *Endorsed,* Recd. 16 August, Read 31 August 1737. [C.O. 152, 23, fos. 40, 40d, 45, 45d.]

382

July 6.  
Oxon.

George Whitefield to Harman Verelst. I am well pleased with the things the Trustees have ordered for me and the schoolmaster, for which I desire they will accept my thanks. As for any salary being allowed the schoolmaster, he neither expects or desires it but only depends on food and raiment proper for a person of his station, which I suppose the Trustees will readily allow him. Besides the things mentioned in my last I believe I shall stand in want of a gun, a sea-chest and some other trifling particulars; but those being easy to be procured I shall defer mentioning them till I come to town which will be as near as possible to the time we are to embark. *Signed,* G.W. 1 small p. [C.O. 5, 639, fo. 303, 303d.]



383

July 6.  
Palace Court.

Minutes of Common Council of Georgia. The accountant acquainted the Common Council that pursuant to order of 2 June 1736 a draft had been made on the bank for 500*l.* for payment of sola bills. Mr. L'Apostre acquainted the board that on 13 June last year's vouchers to 9th inst. included were exchanged with the bank and that the balance of the Trustees' cash in the bank on that day amounted to 3519*l.* 13*s.* 11*d.*; and that the sola bills paid in last year that were cancelled and affixed to their cheques amounted to 2667*l.* The accountant acquainted the board that of the said balance of 3519*l.* 13*s.* 11*d.*, 1333*l.* stands appropriated for payment of outstanding sola bills, residue of the 4000*l.* made out, 1920*l.* 14*s.* 8½*d.* for particular uses, and 265*l.* 19*s.* 2¾*d.* for establishing the colony.

Resolved, that a committee of embarkation be appointed to consider what provisions and tools may be necessary for Georgia for the year 1737 and that any three of the Common Council be a committee for that purpose. Resolved, that Capt. Dunbar's memorial be referred to committee of accounts. Read, a memorial of Mr. Vat desiring a further gratuity; he was acquainted that the Trustees could make him no further allowance. Resolved, that Robert Howes's house be rebuilt as it was before it was burnt down out of the fund for religious uses. Resolved, that when the 20,000*l.* granted the last session of Parliament shall be received from the exchequer, any five of the Common Council be empowered to draw on the bank for 6288*l.* 9*s.* 4½*d.* to make good the following demands: 389*l.* 8*s.* 9¼*d.* to be paid over to make good the application of Sir Jacob Bouverie's benefaction; 200*l.* to answer a bill drawn by Mr. Oglethorpe 27 April 1736 to Paul Jenys & Co. not yet come to hand; 100*l.* for a bill drawn by Mr. Oglethorpe 20 September 1736 to Capt. Macpherson payable 7 July 1737; 100*l.* for a credit on Caleb Davis at St. Augustine in October 1736 not yet drawn for; 105*l.* 3*s.* 11*d.* paid by Mr. Verelst for the Trust since 9 June 1737; 1500*l.* for sola bills paid away by Mr. Causton without Mr. Oglethorpe's endorsement for which the said sum was appropriated by Common Council 29 April 1737; and for the following certified accounts: Samuel Eveleigh, 997*l.* 6*s.* 9*d.*; William Bellinger, 234*l.* 17*s.* 3*d.*; Hugh Bryan, 578*l.* 2*s.* 8*d.*; Col. William Hazard, 69*l.* 12*s.*; Samuel Montaigne & Co., 266*l.* 1*s.* 8*d.*; Messrs. Minis & Salomons, 218*l.* 7*s.* 5*d.*; Robert Ellis, 371*l.* 18*s.* 11*d.*; for half year's salary to secretary and accountant due midsummer last, 75*l.* each; quarter of a year's rent for the house, 7*l.* 10*s.*; for 1000*l.* for sola bills sent for the service of the colony since Lady Day 1737 ordered by the Common Council 21 March 1736/7. 5 *pp.* [C.O. 5, 690, *pp.* 89-93.]

384

July 6.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipts from the bank for 10*l.* 10*s.* and 4*l.* 4*s.* paid in by Dr. Hales. [See No. 372.] Received, same for 20*l.* paid in by George Wright, the benefaction of a lady for the expenses of Mr. Whitefield and the schoolmaster going to Frederica. Read, a letter of attorney empowering the accountant to receive at the Exchequer the 20,000*l.* granted by Parliament towards the further settling and securing Georgia. Seal affixed thereto, secretary to countersign. Received of Earl of Egmont, 10*l.* his subscription for building two churches in Georgia and other religious uses. 2 *pp.* [C.O. 5, 687, *pp.* 26-27.]

385

July 6.

Letter of attorney by Benjamin Martyn to Harman Verelst empowering him to receive 20,000*l.* from the Treasury granted by Parliament for Georgia. *Entry.* 1 *p.* [C.O. 5, 670, *p.* 311.]

386

July [6].  
London.

Memorial of John Ashley, one of the deputies of Horatio Walpole as Surveyor-General of H.M.'s Revenues in America, and late councillor of Barbados, to Council of Trade and Plantations. To remedy the

decay of the sugar-trade, the memorialist proposes: (1) liberty to carry produce of British sugar-islands to foreign markets for the reasons set forth in the annexed manuscript entitled 'The Miserable Case of the British Sugar Planters Considered'; (2) an instruction to the governor of Barbados to pass an Act agreeable to the annexed bill to preserve and manure such plantations as are largely indebted and for relief of insolvent debtors; (3) the assembly of Barbados to lower interest on future contracts to a level agreeable to the low price of the staple commodities of the island and the fall of interest in Great Britain. *Signed.* 1 p. *Endorsed,* Recd., Read 6 July 1737. *Enclosed,*

386. i. The Settlement and Insolvency Bill as proposed for Barbados. This is intended to reform the relations between creditors and insolvent debtors and to preserve the plantations of debtors by the appointment of trustees. 10 pp.

386. ii. The Fall of Barbados since the French Edict of 1726 permitting direct exportation from their sugar-plantations; statistically demonstrated by the yield of the  $4\frac{1}{2}$  per cent. duty in Barbados. 1 p.

386. iii. Advantages attending the proposed debt-law.  $8\frac{1}{2}$  pp.

386. iv. 'The Miserable Case of the British Sugar-Planters Considered', 11 June 1737, by Brittanicus, with statistical appendix. 23 pp. [C.O. 28, 25, fos. 3-17d, 31-44d.]

387

July 8.

Annapolis Royal.

Lieut.-Governor Lawrence Armstrong to Council of Trade and Plantations. In my letter of 22 November last I laid before you all our proceedings in relation to the French priest. I acquainted you that a petition of the inhabitants for Mr. St. Poncy's officiating this winter was under the consideration of the board, who finding there was no convenient opportunity to send him away, the winter being set in, were moved as well as myself by the earnest prayers and entreaties of the people and his own submissive behaviour to grant their request with some restrictions as per minute No. 1.

No. 2 will inform you of the misfortune that happened to Lieut. Amhurst, an officer of the regiment and a member of H.M.'s council for this province, whose house was burnt to the ground on 19 April last in spite of all our endeavours to save it. All his clothes, household goods and provisions were consumed, his loss amounting to a considerable sum. You will perceive that this misfortune did not casually happen through the usual neglect of servants but that the house was wilfully set on fire by Isaac Provender, his bound servant, a boy betwixt 10 and 11 years but whose malice and villainy very much exceed his age. He is now a prisoner, and as we have no gaol his confinement grows very troublesome to the garrison. I sent to consult a lawyer in New England how far we could proceed against him as he is within the years of discretion: his answer is marked No. 4. But I am still at a loss what to do with him since the council is not empowered to try for capital crimes nor to inflict condign punishment upon such offenders. They therefore desire that you will lay this affair before H.M. and signify to us his pleasure therein by the first opportunity.

No. 3, the next minute, relates to a villainous robbery perpetrated by a few rascally Indians at Piziquite upon an English sloop belonging to one Stephen Jones, whereof No. 5 is an account. I have sent circular letters to all the Indians of the province to require them to make him restitution as they have engaged to do by the last treaty of peace. I have likewise wrote to the deputies of Minas<sup>1</sup> and Piziquite agreeable to the foresaid minute which I hope you will approve of. Since the robbery was committed within their precincts I think it is but reasonable that they should make satisfaction to the merchant for his losses. Pursuant to H.M.'s intentions signified in your letter of 18 February 1736/7 such of H.M.'s five eldest councillors as are resident in this province

<sup>1</sup> MS: Menis.



are now embarking to meet the commissioners of the other provinces at Hampton in order to settle the boundaries betwixt Massachusetts and New Hampshire. *Signed*. 3 pp. *Endorsed*, Recd. 17 September, Read 21 September 1737. *Enclosed*,

387. i. Affidavit of Stephen Jones, master of *Friend's Adventure*, sworn 18 June 1737. While trading in the river of Piziquite in Nova Scotia on 1st inst. his ship was boarded by 6 or 7 Indians and plundered to the value of 70*l.* or more. Having escaped, he met M. Manfils the priest of Piziquite and about 20 of the inhabitants, all unarmed, and begged them to assist him. They went with him but they seemed rather to joke and trifle with the Indians than to assist him. *Copy*, certified by Otho Hamilton, secretary. 3½ pp. *Endorsed*, as covering letter.

387. ii. Abstract of minutes of council of Nova Scotia held at Annapolis Royal, 20 April 1737, concerning fire at Lieut. Amhurst's house. *Copy*, certified as preceding. 7 pp. *Endorsed*, as covering letter.

387. iii. Opinion of William Shirley, a New England lawyer, on the case of the burning of Lieut. Amhurst's house by his servant. Boston, 20 June 1737. *Copy*. 2 pp. *Endorsed*, as covering letter. [C.O. 217, 8, fos. 10-19*d*.]

**388** Lieut.-Governor Lawrence Armstrong to Duke of Newcastle. [In July 8. substance same as preceding but without last sentence.] *Signed*. 3 pp. *Enclosed*, Annapolis Royal.

388. i. Copy of No. 387 ii. 6½ pp.

388. ii. Abstract of minutes of council of Nova Scotia held at Annapolis Royal, 10 June 1737, relating to robbery at Piziquite. *Signed*, Otho Hamilton, secretary; L. Armstrong. 4 pp.

388. iii. Copy of No. 387 iii. 2 pp.

388. iv. Copy of No. 387 i. 3½ pp. [C.O. 217, 39, fos. 175-180*d*; C.O. 217, 31, fos. 117-118*d*, 125-128*d* for enclosures ii.-iv.]

**389** Accounts of Jeremiah Allen, treasurer and receiver-general of H.M.'s [July 8.] revenues in Massachusetts, 28 May 1735 - 18 June 1736. Payments and disbursements: 37,726*l.* 7*s.* 9*d.* Outstanding on 18 June 1736, of taxes: 69,306*l.* 14*s.* 10*d.* Remaining in treasurer's hands, in bills: 31,251*l.* 2*s.* 10*d.* Passed the house of representatives, 28 December 1736; passed the council, 29 December 1736. *Signatories*, J. Quincy, speaker, Simon Frost, deputy secretary, J. Belcher. *Copy*, certified by J. Willard, secretary. 23 pp. *Endorsed*, Recd., Read 8 July 1737. [C.O. 5, 879, fos. 174-185*d*.]

**390** Archibald MacBean to Harman Verelst. Capt. Thomson wrote you July 9. this day sennight when I was at a fair in Tain 18 miles north of this, Inverness. to which refer. I have got now on board for the Trustees 33 servants and ashore 10 more. Besides I run a good chance next week in the two principal fairs that stand in this and another place four miles distance from it to make several servants and if possible a piper or two; and will report my success by next post when I shall transmit an account of my charges in levying the whole. *Signed*, A.M.B. 1 small p. [C.O. 5, 639, fos. 317-318.]

**391** Governor William Mathew to Duke of Newcastle. I did not receive July 11. till yesterday by way of Montserrat your commands of 30 April last St. Christopher's. and I am under so great concern for having so justly incurred H.M.'s displeasure that I beg you will excuse what may be amiss in this, the ship sailing this day or at furthest tomorrow giving me no time to recover myself from the disquiet I am now under; and yet my ready obedience will not permit my letting this opportunity slip of immediately begging your intercession on my behalf to obtain my being restored to his

royal favour which I can pray for only on the merit of a hearty sorrow for what is past and a steady resolution by my future exact obedience and diligence to do my best to deserve his gracious pardon.

It is impossible for me by this opportunity to send you an exact list of all the French seizures, but I am dispatching a vessel to the other islands for the accounts I want from the several registers of the Admiralty to enable me to send to you a complete one, and with it an account of all the transactions you order my sending and the names and values of these vessels and their cargoes. Not a minute shall be lost in my obeying this command. My own concern with the *Fleuron* and her cargo is that with the consent of the agent for the freighters, her lading being chiefly sugar (which is a perishable commodity), it was all shipped by Thomas Kerby of Antigua to Mr. William Gerrish of London, merchant, and by him to Rotterdam; but what it sold for I have no account as yet and the whole shall remain entire for H.M.'s orders. The ship itself lay several months at my expense in Antigua: I thought it best to sell her, and she was sold at public outcry. Yet at last I was forced to take her myself and the expense of keeping her increasing upon me daily, I chose to get her a lading and send her to London; and if she got there safe she or her value shall also be wholly at H.M.'s disposal. And lest she might miscarry I ordered her being insured. In every part where I have been concerned H.M.'s will shall be my sole direction.

I heartily lament the errors of my judgment which misled me to think sending accounts of all these proceedings to be laid before you as need should be by my agents was doing my duty. But I now see my fault, that I ought to have accounted directly for them to you as I with utmost speed will do. I will make no delay in getting the produce of all seizures secured to be ready to be restored as H.M. shall direct. One-third of every one seized by the Montserrat Act (except the *Fleuron*) was paid into the treasury of that island, and there it shall be safely kept. What the captors had for their shares I will do my best to secure there. I think I may with truth, without waiting for accounts from other islands, inform you that no seizures have been made of foreign vessels other than French. The bond for the *Fortune* I had no intention in taking but to bring the French to see the unreasonableness of their edict. It shall be delivered on H.M.'s first signification of his pleasure. The daily objects I had before me complaining of French cruelties overcame my reason and judgment, for had either been right with me I had never broke through an instruction to pass a law, though in my own apprehension ever so salutary or necessary. I entreat you to believe my intention was for H.M.'s service and the welfare of his people here in preventing illegal trade though I so inconsiderately and indiscreetly endeavoured by an improper method to effect it.

However guilty I have been in giving my assent to this law, I pray I may not be answerable for any erroneous judgments given in the Court of Admiralty and which cannot be justified even by that law. I never was present on the island or interposed, nor am I chargeable with giving any directions or otherwise endeavouring to influence the judge in his sentences against the defendant. But when any seizure was made the claimant or defendant had full liberty of defence by his counsel as he pleased and might have appealed to any superior court. I observe from the representations of the Council of Trade and Plantations to H.M. that if that judge of the Admiralty in Montserrat had distinguished rightly the force and meaning of the two laws in question there would have been few or none of these condemnations of French or Dutch cargoes, consequently the occasion of this complaint against me greatly prevented. The weakness of the judge, who was so many years ago, or ill defence of the claimants will not be imputed I hope to me as my crime. I shall be very resigned under anything I shall suffer for my indiscretions if I can but at last be restored to H.M.'s favour, for which I again beg your



kind intercession; and this I will hope for if you in great goodness will vouchsafe to continue your protection. *Signed, 6 small pp. Endorsed, Recd. 7 September. [C.O. 152, 44, fos. 116-121d.]*

392

July 11.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. I wrote to you on 14 June, since which I have prorogued the assembly of this province to 4th of next month, after their having passed the usual bills for raising the necessary revenue in support of H.M.'s government as well as several other bills of a public and private nature, all which will be duly transmitted to you by H.M.'s secretary of the province. The assembly would by no means be prevailed on to give any further pay or subsistence to the fort at Pemaquid and this they declined for the reasons you will find in their journal herewith. Indeed it was a dishonour to H.M. to have it called a fort, the dwelling-house and barracks being encompassed only with a loose stone wall, little better than what is commonly made round a sheep pasture, and even that is almost wholly tumbled down. To Fort George at Brunswick in Kennebec River they have voted pay only for a sergeant and six men (which had before a captain and fifteen men); and to Fort Richmond in same river only a captain and ten men (which had before twenty men). Everything looking so much like a general peace, the assembly are desirous to lessen their public charge, and when they established the fort at Pemaquid it was for three years, which expired in November last. The governor has indeed the power of erecting and demolishing forts etc. by the charter, but if the assembly will not pay and subsidist the men the forts must necessarily drop. I am glad that this assembly (as well as the last) are so well inclined to bring their bills of credit to a better value, which, when thoroughly effected, will be attended with happy consequences to the trade of Great Britain as well as to H.M.'s subjects of this province. But the emissions of bills made for above 20 years past have been a downright fraud to all persons that have been obliged to take them in pay.

I think myself obliged in duty to H.M., who has honoured me with his royal commission to be his governor and captain-general of his provinces of Massachusetts Bay and of New Hampshire and is pleased in his instructions to style me the representative of his royal person, to address myself to you on the method or channel into which the affair of the settlement of the line between this province and New Hampshire is directed, I mean as to the sending of the commission to Mr. Rindge, a pretended agent for New Hampshire though he never was anything more than an agent for the house of representatives only. I have received letters from several of the governors of the neighbouring provinces, from whence the commissioners are to come, to desire I would acquaint them so soon as I should receive H.M.'s commission appointing the commissioners in this affair; to which I have been obliged to reply that I have not seen the commission to this day although I have been informed it is in Mr. Rindge's hands. It lay (as I was told) several days in this town and then was sent to New Hampshire; but it not being possible for me to gain any knowledge of its being arrived or when it might arrive, I prorogued the general assembly of this province to 4 August by advice of H.M.'s council, so that if the commissioners meet on 1 August the demands and pretensions on the side of this province cannot be laid before them, though they may be in some days after. But had the commission been sent to me immediately (as I doubt not you will think it ought), it had come in season for my conducting the matter exactly in time as to the sitting of the assemblies of both provinces. Should any of H.M.'s affairs properly belonging to the cognizance of your Board be directed to some mean and inferior person to give him the respect in preference to you of the first knowledge of them and so to be conveyed to you, it would certainly be thought a great indignity offered to the character

of your Board. I think all the king's officers and servants must enjoy their just authority and honour, otherwise the king's power and honour will of consequence be trampled upon and H.M.'s service with the welfare of his people will be exposed to great inconveniences. I have been larger to you in this representation as depending the matter has been managed in the manner it has by some of the servants of your office entirely without your knowledge, who I am sure would not have suffered the doing of a thing that so militates with all the good rules and orders of government and is of a piece with what I complained of to you in mine of 10 May past respecting some packets directed to me from you. *Signed.* 8 small *pp.* *Endorsed,* Recd. 22 August, Read 24 August 1737. [C.O. 5, 880, *fos.* 17-21*d.*]

393

July 11.  
Boston.

Same to Duke of Newcastle. [*In substance same as No. 392.*] *Signed.* 8 small *pp.* *Endorsed,* Recd. 28 August. [C.O. 5, 899, *fos.* 270-273*d.*]

394

[July 12 (O.S.)]  
July 23 (N.S.)  
Krefeld.

John Mathias Kramer to Harman Verelst. Your letter of 24 June leaving me so little hopes that the Trustees would augment the number of the 60 servants that they rather previously advised me not to solicit further about them, I (having first left orders with a friend to take care of such persons as might remain behind after the departure of the ships for Philadelphia and to dispose them to a voyage to Georgia) came here on affairs of my own. Since my arrival here I received yours of 1 July in which you desire to know what number of persons I have if the Trustees should extend my instructions to 100 and the rest could be completed at the expense of Messrs. Hoops. To this I answer that the ships were not departed for Philadelphia when I left Rotterdam and consequently I could not know what number of persons remained behind though I expect an account of it from my friend every post. But I very much doubt whether Messrs. Hoops will take a sufficient number to complete a ship's loading at their expense. I shall therefore expect the sooner the better the positive resolution of the Trustees what number of persons they are willing to transport to Georgia because delays may be dangerous and these poor people, not having wherewithal to subsist in Holland long, will be obliged to return to Germany. As soon as I receive this I will return immediately to Rotterdam and endeavour to get together such a number of persons. But it will be necessary that you assign me money for my expenses without which nothing can be done. *German.* *Signed.* PS. Send to me by Mr. Dupre, a merchant in Lawrence Pountney Lane, London, who has dealings in Krefeld, or by way of Rotterdam. 3 *pp.* *Seal.* [C.O. 5, 639, *fos.* 311-312*d.*; English translation at *fo.* 314, 314*d.*]

395

July 12.  
Jamaica.

President John Gregory to Council of Trade and Plantations. Mr. William Needham who was appointed of the council very lately showed me his privy seal and desired leave to resign it. It was obtained without any application from him; and as he has been very long speaker of the assembly and given satisfaction in that post, he chooses to continue in it. Besides he had the offer of a councillor's place in the Duke of Portland's time; as he then refused it and is a gentleman advanced in years, he is better satisfied as he is than to come in youngest at the board where he might have had earlier pretensions. I have been lately obliged to require the attendance of the four absent councillors, being put to great difficulty to make a quorum by the sickness and great distance of some of the members. (The number consists of the six following, Mr. Campbell who lives at 100 miles distance, Mr. Mill who is very sickly and infirm, Mr. Hals, Mr. Concanen, Mr. Philp, Mr. Garbrand.)



Those four gentlemen not having attended pursuant to the summons, the board advised me to give them a further day and then suspend them if they do not come. H.M.'s instruction is not to suspend without the consent of seven of the council: but as that is impossible in the present case, there being but six, I hope I shall not be thought guilty of a breach of the intention of the instruction in following their advice. I shall not attempt it but upon the greatest necessity, and I assure you (without giving myself any airs) I shall be glad to be freed from that difficulty by the coming of Mr. Trelawny who has outstayed both my expectation and inclination. *Signed*. PS. You will observe in the last minutes of the council the steps I have taken in relation to the gentlemen who have withdrawn their attendance. I enclose the deposition of a caption made by the Spaniards of one of our vessels. 1 *p.* *Endorsed*, Recd. 4 October, Read 5 October 1737. *Enclosed*,

395. i. Affidavit sworn before Samuel Dicker at Kingston, Jamaica, 7 July 1737, by John Curtis, late commander of the *St James* of about 100 tons belonging to Bristol and bound from Bristol to Cork and Jamaica, George Reynolds, boatswain, Silvester Plummer, Josia Gyles, James Painter, Richard Witts and Robert Durnell, sailors, all of the said ship, of which the owner was Michael Atkins of Bristol, merchant. They sailed from Cork for Jamaica about 9 March last. In the longitude of Porto Rico and about 20 leagues south thereof and in latitude 16° 30" north, on 12 May a 16-gun sloop with upwards of 60 men under Spanish colours came up. They were afterwards informed the name of the ship was *Crusier* and the commander a mulatto, Domonick Sanches. The *St James* was fired on and struck her colours, was boarded, and carried to a bay at the west end of Porto Rico where she was detained about ten days; in that time part of her cargo was plundered and the ship's papers seized. On order of the governor, the *St. James* was then removed to the city of San Juan where the remainder of her cargo was taken out. Capt. Curtis sought satisfaction of the governor but could get none. Part of the provisions of the *St. James* was put aboard a 50-ton Spanish royal ship, the *San Juan*. Deponents escaped privately in the night and got to Jamaica. They had not traded anywhere on the Spanish coast nor had any such intention nor had they sailed within 15 leagues of any Spanish coast. *Signed*. *Witnessed*, by Isaac Haig, John Searle, Joseph Love. *Certified*, by William Foster, notary public, that Samuel Dicker before whom the foregoing was sworn is one of the judges of this island. 4 *pp.* [C.O. 137, 22, *fos.* 142-144d; duplicate of letter at *fo.* 145, 145d.]

396

July 13.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 10*l.* paid in by Earl of Egmont. [See No. 384.] Received, same for 10*l.* 10*s.* paid by Philip Percival received by him from Thomas Morse. [See Nos. 290 and 316.] Received by Rev. George Watts of Lincoln's Inn, 5*l.* 5*s.* benefaction of a person who desires to be unknown for general purposes. Ordered, that the secretary and accountant make an extract out of the books belonging to the office of all orders and instructions sent to Georgia to which no returns appear to have been made to the Trust; and that a copy of the said orders and instructions be delivered to William Stephens, secretary for the Trust in Georgia, with an instruction that he enquire into the reasons why no returns have been made and inform the Trustees of the same with all convenient speed after his arrival there. Mr. Vernon laid before the board Mr. De Reck's letter of 28 June 1737 [see No. 369]. Ordered, that a letter be sent to Mr. De Reck to acquaint him that the Trustees do not propose to subsist any people in the colony who do not intend to cultivate land and desiring him to let the Trustees know whether he intends to return to Georgia and to inform him that the grant of land

made him 7 October 1735 will be vacated if he does not return within six months. Received, a receipt from the bank for 20,000*l.* received by the accountant at the Exchequer being so much granted by Parliament for the further securing and settling Georgia, vizt. net money arising from the said issue, 19,492*l.* 9*s.* 6*d.*; various fees remitted, 507*l.* 10*s.* 6*d.* 2½ *pp.* [C.O. 5, 687, *pp.* 28-30.]

397

Lieut.-Governor Thomas Broughton to Council of Trade and Plantations certifying that the five following affidavits<sup>1</sup> were taken before him in the council and that Thomas Dale is a J.P. in Berkley county, South Carolina. *Signed*, John Hammerton, secretary, Thomas Broughton. 1 large *p.* *Enclosed*,

397. i. Affidavit of Richard Wigg, late of Charleston, merchant, sworn before Thomas Dale, 25 June 1737. In February 1734/5 Chaloner Jackson sent deponent two bales of woollen goods. These were appraised on 11 February and sworn before a J.P. to be worth 123*l.* 2*s.* Carolina money, at that time equal to 17*l.* 11*s.* 8½*d.* sterling. *Signed*, Richard Wigg, Thomas Dale. ½ *p.*

397. ii. Affidavit of John Walker late of Providence in the Bahamas, mariner, sworn before Thomas Dale, 16 June 1737. He and his brother Charles in passage from South Carolina to Jamaica in November 1734 put in to Providence. They were ordered to go before the governor. When they did not the governor sent a sloop with soldiers for them but they escaped. They understand the governor thereupon proclaimed them pirates. Deponent's land and house in Providence have been seized and sold by the governor and the money converted to his own use. *Signed*, John Walker, Thomas Dale. 1 *p.*

397. iii. Affidavit of Charles Jacob Pichard late of Providence, shopkeeper, sworn before Thomas Dale, 14 June 1737. He was wrongfully arrested by Governor Fitzwilliam on suspicion of harbouring Watson, a deserter from the garrison. The governor has compelled the inhabitants to build him two lime kilns for which he has not paid. He keeps a shop in Nassau and awes the inhabitants from dealing elsewhere than with him. Deponent was refused permission to leave the island until he had paid 40 pieces-of-eight to the governor which he was alleged to owe to John Colebrooke; the sum he owed was really 15⅞ pieces-of-eight and the governor had no authority to demand the money. The governor obliges the soldiers belonging to the independent company to perform very hard labour for his own private use without satisfaction and compels them to take goods they do not want at a very extravagant price for their pay. *Signed*, Jacob Pichard, Thomas Dale. 1½ large *pp.*

397. iv. Affidavit of Samuel Eveleigh of Charleston, merchant, sworn before Thomas Dale, 14 June 1737. Deponent has resided in Charleston nearly 34 years and carried on a considerable trade to Providence. He has heard many accounts of the barbarous treatment of the soldiers by the governor and of the frauds practised on them, particularly from Mr. Sherley, late attorney-general of Providence and now residing in North Carolina. Excessive port duties have been charged. The inhabitants are too frightened to complain and are, deponent is informed, now being persuaded to sign a false paper in favour of the governor. *Signed*, Samuel Eveleigh, Thomas Dale, 1 large *p.*

397. v. Affidavit of Henry Mathews, late of Providence, cooper, sworn in council before Thomas Broughton, 30 June 1737. Governor Fitzwilliam bought some flour of Thomas Petty and Peter Goudet to send to Havana; some difference arising

<sup>1</sup> i.e. Nos. v—ix.



between them the governor prosecuted Petty and his security, Samuel Lawford, on a plantation bond. While the cause was at issue the governor removed Nicholas Rowland, chief justice, and put in his place James Scott. The governor being indebted to deponent paid the debt in overvalued cloth. It is publicly declared at Providence that the governor struck Chaloner Jackson several times because Jackson would not give a certificate for some goods of the governor's. Jackson was arrested and his negroes sold publicly for less than their value and were bought for the governor's use. Deponent has seen a proclamation that debts owed to Jackson should be paid to Edward Knight, provost marshal. This, together with other ill treatment by the governor, shortened Mrs. Jackson's days. Deponent has often heard the soldiers complain of hard and barbarous usage by the governor; one John Hogg, a soldier, drowned himself. On 17 March 1735/6 42 soldiers mutinied and got away from the island in a vessel, but were captured; they were all sentenced to death for piracy, 12 being hanged. A French sailor who, according to the soldiers' evidence, had been forced to help them to navigate the sloop they intended to sail in was most barbarously executed. It was the general complaint of the inhabitants that the arbitrary and illegal administration of the governor would drive the greater part of them to some other colony. *Signed*, Henry Mathews, Thomas Broughton. 1½ large pp.

397. vi. Affidavit of Abraham Astin, late of Providence, blacksmith, sworn as preceding, 30 June 1737. The governor engrosses cargoes coming to the island. James Scott began a suit against Samuel Lawford and Thomas Petty on a plantation bond. While the case was being heard Mr. Rowland, the chief justice, was removed and the said Scott put in his place. When Lawford objected to Scott as chief justice, he being prosecutor in that cause, he (Lawford) was fined and committed to prison for contempt of court. Regarding Chaloner Jackson's treatment, the treatment of the soldiers and the barbarous execution of the Frenchman, this affidavit substantially agrees with preceding. Deponent was not paid for work he did for the governor who arbitrarily took from him his working tools so that he was obliged to leave the island. *Signed*, Abraham Astin, Thomas Broughton. 1½ large pp.

397. vii. Affidavit of Thomas Allan, late surgeon of H.M.S. *Shark*, now surgeon of H.M.S. *Rose* on South Carolina station, sworn as preceding, 4 July 1737. On 21 October 1734 he treated Chaloner Jackson for severe wounds which Jackson said (and deponent believes) were caused by Governor Fitzwilliam. *Signed*, Thomas Allan, Thomas Broughton. 1 p.

397. viii. Affidavit of Thomas Wright of Charleston, merchant, sworn as preceding, 4 July 1737. Deponent was at Providence in September 1734 when he heard a great clamour of the inhabitants against Governor Fitzwilliam for interference in elections to the assembly. The soldiers told him they were ill treated and starving. The governor then engaged in trade to Havana and tried to sell naval stores there, though unsuccessfully. The governor was plaintiff in many actions in the Court of Common Pleas; if the jury did not find a verdict agreeable to him the case was brought before him as chancellor on appeal and heavy costs given against the defendants. The prosecution against Samuel Lawford and Thomas Petty on a bond for enumerated goods was carried on despite written evidence from Customs officers in London that the condition of the bond had been complied with. James Scott was prosecutor, informer and chief judge in this case. He is also speaker of the assembly, naval officer, secretary of the island, searcher of the port and the governor's shop-keeper. At the beginning of November 1734 the governor told deponent that he had well beaten Chaloner Jackson a few days before for pinching his hat at him and

looking impertinently in his face or words to that effect. *Signed*, Thomas Wright, Thomas Broughton. 1 large p.

397. ix. Affidavit of Richard Thompson of New Providence, pilot of H.M.S. *Sharke*, sworn as preceding, 13 July 1737. Deponent tried to obtain from Governor Fitzwilliam a certificate that his father was entitled to a salary as president of the council between Governor Rogers's death on 15 July 1732 and 9 June 1733. This, the governor refused to give. When deponent disposed of the salary the governor flew in a great passion and made threats, as deponent is informed. *Signed*, Richard Thompson, Thomas Broughton. 1 large p. *Endorsed*, These papers were all under the seal of South Carolina but that seal was taken off for the convenience of binding, 8 May 1738. Recd. 20 January, Read 23 January 1737/8. [C.O. 23, 4, fos. 22-31d.]

398

July 13.  
Love Lane.

Thomas Hyem to Harman Verelst, sending instructions for planting and tending caper plants just received from Marseilles. They may go with the box of plants, and if no ship is likely to go for Georgia soon

I think they should be sent via Carolina per Capt. Shubrick. [*The instructions are given in detail.*] *Signed*. 1 p. [C.O. 5, 639, fo. 320, 320d.]

399

July 13.  
Georgia Office.

Benjamin Martyn to Philip George Frederick von Reck. In reply to your letter to James Vernon of 28 June (N.S.) 1737, the Trustees have ordered me to acquaint you that it is an established rule with them to subsist none who do not intend to cultivate lands for their own subsistence. They therefore desire to know whether you intend to return to Georgia, because if you do not within six months the grant of land made to you on 7 October 1735 will be vacated.

*Entry*. ½ p. [C.O. 5, 667, fo. 24d.]

400

July 13.  
Whitehall.

Alured Popple to Francis Fane, enclosing an Act passed in Virginia in September 1736 to dock the entail of certain lands whereof Lewis Burwell is seised, and desiring his opinion thereon in point of law.

*Entry*. ½ p. [C.O. 5, 1366, p. 146.]

401

[July 13.]

Petition of David Dunbar to Council of Trade and Plantations. In six years as lieut.-governor of New Hampshire (four years residing there) petitioner has been refused any power by the governor except in minor matters; the king's fort has been shut against him; councils have been called without notice given to him; he has received no salary; the king's orders have been disobeyed; there has been great delay in justice; the assemblies have not been suffered to do business; the public seal was refused to petitioner by the secretary; the records of council and court of appeals were destroyed by fire in the secretary's house; the militia was neglected. The governor has called Acts of Parliament iniquitous and intercepted petitioner's private letters. Prays for relief. *Signed*. 2 pp. *Endorsed*, Recd., Read 13 July 1737. [C.O. 5, 880, fos. 8, 8d, 11, 11d.]

402

[July 13.]

Memorial of David Dunbar, surveyor-general of H.M.'s woods in America, to Council of Trade and Plantations, complaining of obstructions in the performance of his office. Governor Belcher countenances the destruction of woods and protects offenders. Memorialist was commanded to lay out 300,000 acres of woodland in Nova Scotia for the use of the Navy; what he laid out happened to be in the Massachusetts charter and therefore not in H.M.'s disposal. But as the boundary between Massachusetts and New Hampshire is now near being settled,



memorialist acquaints the Council that a large tract of land now deemed part of the county of York, whereon grow many large white pine trees, will then fall into New Hampshire if the line from Newichawannock river be settled as is understood by the charter, and may then be reserved for the Navy. Wherefore memorialist proposes that orders be sent to the governor of New Hampshire not to make any grant of land within that province until the report of the boundary commissioners is approved by H.M., and to the governor of Massachusetts not to consent to grants of land near the place of controversy between the two provinces nor to any act for settling grants made since the dispute has been lately revived. *Signed*. 1 p. *Endorsed*, Recd., Read 13 July 1737. [C.O. 323, 10, fos. 112, 112d, 115, 115d.]

## 403

Memorial of David Dunbar in behalf of himself and Samuel Waldo of

[July 13.] Boston in New England, merchant, and a great many of H.M.'s Protestant subjects from Ireland now in New England, to the Council of Trade and Plantations. Memorialist with above 300 people settled under the encouragement of H.M.'s government in lands between the rivers Kennebec and St. Croix then deemed in the westernmost part of Nova Scotia. Six towns were settled, called Frederick Fort, Newcastle, Walpole, Townshend, Harrington and Torrington. Subsequently the government of the settlement was claimed by and awarded to the governor of Massachusetts, and under this and other discouragements the greater part of the settlers abandoned the place. Another settlement made eight leagues further east was abandoned through hostility of the Indians. Prays that the Council will remove the obstacles to this settlement. *Signed*, David Dunbar. 2 pp. *Endorsed*, Recd., Read 13 July 1737. [C.O. 5, 880, fos. 5-6d.]

## 404

July 14.  
Charleston.

Certificate by Lieut.-Governor Thomas Broughton that the following are duly attested copies. *Signed*. 1 p. *Enclosed*,

404. i. Representation to the King by Robert Wright, Chief Justice and Chief Baron of South Carolina, John Hammerton, Secretary and Receiver-General, James St. John, Surveyor-General, Deputy Auditor, Comptroller and Inspector of H.M.'s Revenues, and James Wright, Attorney-General. Following the constitution of a Court of Exchequer in this province and the issue of writs of *venire facias* to the provost marshal, the jury summoned to attend the court absolutely refused to serve. Whereupon a bill was prepared, defining the power and jurisdiction of the court; this was approved by the governor and council, but the lower house of assembly, after a long time without any notice, have ordered it to lie on the table. Such proceedings are highly prejudicial to H.M.'s revenues. Copies of relevant documents are enclosed. *Signed*, Robert Wright, J. Hammerton, James St. John, James Wright. 2 large pp. *Endorsed*, Read 19 October 1738.

404. ii. Commission by Governor Robert Johnson to Robert Wright, 23 November 1732, appointing him Chief Baron of the Court of Exchequer in South Carolina. *Copy*, certified by J. Hammerton and James Michie, Deputy Secretary. 1 large p.

404. iii. Commission out of the Court of Exchequer of South Carolina to James Wright, Attorney-General, to enquire into the lands of John Dutartre, felon, 25 June 1736. *Copy*, certified by James Wright. 1½ large pp.

404. iv. Return by James Wright to the above commission, certifying that twelve jurors were summoned to attend the enquiry, whereof two did not attend and of the ten who appeared nine refused to serve. 12 October 1736. *Copy*, certified as preceding. 2 large pp.

404. v. Bill for limiting the power and jurisdiction of the Court of Exchequer of South Carolina and for settling the procedure thereof. *Copy*, certified as preceding. 5½ large *pp*.

404. vi. Message from Council of South Carolina desiring the Commons House of Assembly to give dispatch to the above bill. 25 February 1736/7. *Copy*, certified by J. Badenhop, Clerk to the Council. *Signatory*, Arthur Middleton. ½ *p*.

404. vii. Message from same to same to the same purpose, 2 March 1736/7. *Copy*, certified by Isaac Amyard, Deputy Clerk. *Signatory*, Alexander Skene. 1 *p*. [C.O. 5, 366, *fols*. 131-147*d*, 152, 152*d*.]

405

July 15.  
Inverness.

John Hossack to Harman Verelst. Since my last to you I have received yours of 21 May accompanying Capt. Thomson, 18 and 25 June, and 1st current. As Capt. Thomson advised his arrival on 21st past it was not necessary for me to have done it: he lost no time in raising his ship's deck and preparing conveniences for his passengers, how many there shall be cannot yet be concluded. The friends of John Mackintosh of Leniwillg upon the river Altamaha are advised that he is much distressed by the death of the servants he carried over and his inability to purchase any in Georgia. They have therefore provided two or three to be sent him but doubt they can be useful to him if he must pay for their passage. And as they have solicited me for this end, pray represent the gentleman's condition to the Trustees, particularly to Mr. Oglethorpe to whom he may be known, that they may give direction therein. *Signed*. 1 small *p*. [C.O. 5, 639, *fols*. 322-323*d*.]

406

July 15.  
Charleston.

Lieut.-Governor Thomas Broughton to Council of Trade and Plantations acknowledging letter of 10 December from Mr. Popple, concerning grants of land between the Altamaha river and the northern boundary of Spanish Florida. [See *Cal. S.P. Col.* 1735-36, No. 484.] In answer to which, I beg to inform you that if any application had been made to me for land in that district, I should not have granted it, though I had not received your commands thereon, to which I shall always pay the greatest deference and respect. I received about the end of March last advices that the French designed to attack the Chickasaws again in April with a body of about 4000 whites and Indians. Such a force I apprehend might possibly be an overmatch for those Indians, and should the French destroy them or drive them out of their possessions it must inevitably be of very ill consequence to these parts of H.M.'s dominions. I therefore sent an account of this news by express to the traders in that nation, that they might inform those Indians thereof and advise them to be on their guard, which they seem to be determined upon. But by later advices I hear the French have laid aside that undertaking till the fall, expecting that then they shall meet with the corn planted by the Chickasaws to support their men. Your orders in relation to Mr. Jackson shall be obeyed, and nothing keeps me in town this sickly and violent hot season but the examining the evidences he shall bring before me; and a testimonial shall be annexed to the depositions under the seal of the province as usual on such occasions. The apprehensions we have been under for some months past of the Spaniards' designs on Georgia being now over, all the forces raised and kept in pay by this province to be in a readiness to assist that colony in case of need are now discharged. *Signed*. 3 small *pp*. *Endorsed*, Recd. 20 September, Read 21 September 1737. [C.O. 5, 366, *fols*. 18-19*d*.]

407

July 15.  
Charleston.

Same to Duke of Newcastle. Notwithstanding the apprehensions we have been under for some months past of the Spaniards' designs on the colony of Georgia last spring are now over and all the forces



raised and kept in pay by this province to be in a readiness to assist that colony in case of need are discharged, we are going on with all possible application and dispatch in repairing the old and finishing the new fortifications erected on that occasion. A new battery has been raised in such a situation as to command the entrance of Ashley and Cooper river, which when completed will mount 39 guns; and Johnson's Fort which is about four miles below Charleston is repairing and will be of great service in case of attempts from an enemy. I will as soon as possible send you a regular plan of all the fortifications which will give you a more perfect idea of the usefulness of them than anything I can write on that matter, which should have been done before now had the past emergency permitted. When you have perused the intended plan I question not but you will be convinced that this province cannot bear the burthen of a yearly expense for keeping a sufficient number of men in pay, provisions and other incident charges which must necessarily arise on that service and therefore hope you will continue to show your good and generous disposition for the prosperity and welfare of the province in using your powerful interest with H.M. that an independent company may be sent over to be distributed in the several fortifications. *Signed.* 2 small *pp.* *Endorsed,* Recd. 24 September. [C.O. 5, 388, *fo.* 162, 162*d.*]

408

July 18.

St. Christopher's.

Governor William Mathew to Alured Popple. I have delivered to Capt. Griffiths to be forwarded to you a box containing duplicates of the Nevis Negro and Quarantine Acts, the originals went 5th inst. in Capt. Tobin recommended to the care of Capt. Sommers. Duplicate minutes of council of Montserrat to 25 June last are enclosed, the originals went also by Tobin. I also send minutes of assembly of Montserrat for quarter ending 25 June last. The Spaniards have begun again their depredations and cruelties within this government from Porto Rico, as by the enclosed affidavit of John Harris which I desire you will present to their lordships with the other papers. I am honoured with H.M.'s commands from the Duke of Newcastle and their lordships' two reports on the French and Dutch memorials: I find my friends had taken a false alarm in imagining that relating to the Dutch was less favourable to me than the other. I think myself under the greatest obligations to their lordships for both, as I find my fault represented without the character severe justice might have given it. My not accounting directly to their lordships but only instructing my friends in all these matters I find now with sorrow was justly blameable. I shall hardly trespass that way again. *Signed.* 2 small *pp.* *Endorsed,* Recd. 29 August, Read 31 August 1737. *Enclosed,*

408. i. Affidavit of John Harris, senior, of St. Christopher's, sworn before the governor in St. Christopher's, 11 July 1737. Being at Crab Island with his schooner the *Hopewell* lading with fustick, deponent's ship was seized by a Spanish privateer. Deponent and crew travelled to another part of Crab Island to await rescue. On 18 June a Spanish periagua landed there and sent a party ashore which attacked and severely used deponent and his crew, who were left for eight days in great extremity. Then an English ship took them off and brought them to Spanish Town. Deponent's son was shot in the back by the Spaniards and continues dangerously ill. The lieutenant of the periagua told deponent there were two ships at Porto Rico to execute the driving the Danes off Sta. Cruz, for which purpose there were 300 cowkillers, 200 negroes, 18 pilots and 2500 other Spaniards already mustered and provisions ready, the whole armament to consist of three large ships and six sloops. *Copy,* examined by William Mathew. 1½ *pp.* *Endorsed,* as covering letter. [C.O. 152, 23, *fos.* 41-44*d.*]

409

July 20.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle. In obedience to the king's commands signified in your letter of 8th inst. to consider whether some new agreement might be made with France for preventing contraband trade in America, we have already tried to show by our representations of 21 April and 30 June last that the French proposals were chiefly to the French advantage. We cannot recommend any scheme that can more effectually prevent the contraband trade than a due observation of the Treaty of Neutrality of 1686 with a specification of what shall be deemed sufficient proof of illegal trade. *Entry. Signatories*, Monson, Thomas Pelham, R. Plumer. 2 pp. [C.O. 153, 16, fo. 62, 62d; original in C.O. 5, 5, fos. 142-144d.]

410

July 20.  
Whitehall.

Same to same, enclosing the following. As we have already laid this whole complaint before you, we shall not trouble you further than to desire you would receive H.M.'s directions thereon. *Signed*, R. Plumer, Monson, T. Pelham. 1 p. *Enclosed*,

410. i. Petition of Lieut.-Governor David Dunbar to Council of Trade and Plantations. *Copy*, of No. 401. 4½ pp. [C.O. 5, 752, fos. 300-305d; entry of covering letter in C.O. 5, 917, fos. 100d, 101; draft of same in C.O. 5, 897, fos. 147-148d.]

411

July 20.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 5*l.* 5*s.* by Mr. Watts paid in at the last board. Received, a box of caper plants from Marseilles the benefaction of Thomas Hyem. Received of Robert Eyre, 10*l.* his subscription for building two churches in Georgia and other religious uses. Received of James Vernon, 100*l.* the subscription of a person who desires to remain unknown for the same purposes. Received of James Vernon, 10*l.* his subscription for the same purposes. 1 p. [C.O. 5, 687, p. 31.]

412

[July 20.]

Second memorial of John Ashley to Council of Trade and Plantations. The following are the heads of what is desired for Barbados. (1) Direct exportation to foreign markets, subject to the limitations proposed in petition to Parliament in 1735. (2) Bill for relief of encumbered planters. (3) Reduction in rate of interest in Barbados to 6 per cent. It is now 10 per cent. on old debts and 8 per cent. on debts since 1729. It may be alleged that the lowering of interest may be done by the inhabitants without any such recommendation. But the prevailing interest of a few dealers in money may probably prevent it. 1 p. *Endorsed*, Mr. Ashley's second memorial. Recd., Read 20 July 1737. *Enclosed*,

412. i. *Some Observations on a Direct Exportation of Sugar from the British Islands*, by John Ashley. *Printed*. London, 1735. 23 pp. [C.O. 28, 25, fos. 18-30d, 45, 45d.]

413

[July 20.]

Petition of John Thomlinson, merchant, agent for the assembly of New Hampshire, to Council of Trade and Plantations, complaining of conduct of governor of Massachusetts and praying for consideration of the necessity of dividing New Hampshire from Massachusetts. *Signed*. 1½ pp. *Endorsed*, Recd., Read 20 July 1737. [C.O. 5, 880, fos. 9-10d.]

414

July 21.  
Hampton Court.

Order of King in Council approving draft of commission to Edward Trelawny to be governor of Jamaica, and directing a warrant to be prepared. *Signed*, James Vernon. *Seal*. 1 p. *Enclosed*,

414. i. Commission for Edward Trelawny to be governor of Jamaica. *Draft*. 20 pp. [C.O. 5, 196, fos. 220-233d; copy of order, endorsed, Recd. 12 September, Read 14 September 1737, in C.O. 137, 22, fos. 138-139d.]



**415** Same, disallowing an Act passed in North Carolina during the government of the Lords Proprietors entitled an Act relating to biennial and other assemblies. *Copy*, certified by James Vernon.  $1\frac{1}{4}$  pp. *Endorsed*, Recd. 12 September, Read 14 September 1737. [C.O. 5, 295, fos. 96, 96d, 99, 99d.]

**416** Same, approving drafts of commissions to John, Lord Delawarr, to be governor of New York and New Jersey, and directing warrants to be prepared. *Signed*, James Vernon. *Seal*. 1 p. *Enclosed*,  
 July 21.  
 Hampton Court.

416. i. Commission to Lord Delawarr to be governor of New York. *Draft*. 18 pp.

416. ii. Commission to Lord Delawarr to be governor of New Jersey. *Draft*. 15 pp. [C.O. 5, 196, fos. 130-149d; copy of order, endorsed, Recd. 12 September, Read 14 September 1737, in C.O. 5, 1059, fos. 29-30d.]

**417** Same, on a report from the Committee for Plantation Affairs upon two Acts of St. Christopher's, one passed in 1732 for granting to H.M. a duty of 8s. per poll on all negroes and other slaves in the island and also of 5 per cent. on the rents of town property etc., and the other passed in 1734 for reducing the fee of 3s. per sheet taken by the secretary as clerk in chancery for copies of bills and answers etc., and petitions of Wavell Smith and Savile Cust against the same. [See *A.P.C.*, (*Colonial Series*) 1720-45, pp. 540-541.] The first is disallowed and the second is approved. *Copy*, certified by James Vernon.  $6\frac{1}{2}$  pp. *Endorsed*, Recd. 12 September, Read 14 September 1737. [C.O. 152, 23, fos. 46-49d.]

**418** Memorial of David Dunbar, lieut.-governor of New Hampshire and [July 21.] surveyor-general of H.M.'s woods in America, Jeremiah Allen, member of assembly of Massachusetts, and John Thomlinson of London, merchant, agent for New Hampshire, in behalf of themselves and great numbers in Massachusetts and New Hampshire, to Duke of Newcastle. Governor Belcher has held the government of Massachusetts and New Hampshire for eight years. The people of Massachusetts were surprised to see a person of such low rank as governor; long trial has not brought any better understanding. Mr. Belcher has repeatedly broken H.M.'s instruction by agreeing to pass Acts for the emission of paper bills of credit in excess of the sum permitted. The woods reserved for the Royal Navy have been continually destroyed and Mr. Belcher does little or nothing to prevent it. Through his pusillanimity the government of Boston is usurped by the mob who have pulled down the chief markets. He has denied any authority to Lieut.-Governor Dunbar in New Hampshire. He has suffered the fort at the entrance of Piscataway river to remain in a ruinous condition. The militia of New Hampshire have been neglected. He has prevented the assemblies of New Hampshire from doing business by dissolving them six times in four years. He has adjourned the courts of New Hampshire, not suffering the lieut.-governor to preside in his absence. He has prevented the settlement of the boundaries between Massachusetts and New Hampshire and passed Acts to settle and grant away great parcels of land in New Hampshire. Mr. Waldo's new settlement called the Eastern Settlement, Governor Belcher has discountenanced. Memorialists pray that some person more regardful of the honour and interest of H.M.'s service and the rights and privileges of his subjects may be appointed to the chief command over Massachusetts and New Hampshire. *Signed*. 3 pp. *Endorsed*, 21 July 1737. [C.O. 5, 899, fos. 205-206d.]

419

July 22.  
Jamaica.

President John Gregory to Council of Trade and Plantations. The assembly met lately: I send you two bills they passed, also the journals of the council and such part of those of the assembly which are yet come to my hands. I had not the same success in this session I formerly met with; some things in my speech were not relished. I meant well, though it proved otherwise. You will be able to distinguish by the resolves in their journals the exceptionable parts. I still insist upon it, the laying a restraint upon negro tradesmen and boatmen will be of the greatest service imaginable to this country, and it can neither flourish nor be secure without it. I confess I have little hopes to see it done here: the present interest will always prevail against the future. As the assembly did not seem inclined to business and applied for a recess, I readily granted it. This will probably be the last meeting during my administration as the annual laws do not expire till March. I hope there will be no occasion for meeting sooner. *Signed.* 1½ small pp. *Endorsed,* Recd. 6 October, Read 12 October 1737. [C.O. 137, 22, fos. 145d-146d.]

420

July 22.  
Annapolis Royal.

John Adams to Council of Trade and Plantations. Your letter of 18 February last directed to this government arrived here in April and was read the same day in council; and although we came to no resolution at that time, hoping to hear soon of the arrival of the royal commission, yet it seemed clear to the board that none of the members of the council here was excepted but Major Paul Mascarene. In June Lieut.-Governor Armstrong read to the board from the chair a paragraph of a letter he had received from Governor Belcher acquainting him that by the last vessels arrived there from London there was no news of the commission being out but thought it would be his safest way to send five of the eldest councillors to be upon the spot at the time appointed. Whereupon as I had given my constant attendance at the council board (eleven years past I have been blind) as I had done before ever since the council was established, I resolved to go and employed all the money and credit I had to equip myself for that service. In the beginning of July inst. Lieut.-Governor Armstrong put a warrant into my hands (copy enclosed) together with a duplicate of your letter to him to be our credentials at Hampton in case H.M.'s commission was not arrived (copy of which I gave to the other members) and were all ready to depart on 12th when a vessel arrived here with a letter from the government of New Hampshire which informed us that the commission was arrived but my name was not therein. I acknowledge H.M.'s great wisdom and goodness in excusing a person of my age and infirmity from giving my voice in deciding that controversy.

The other paper enclosed is a proposal to build a parish church in this town of Annapolis Royal which the committee pray you would recommend to our good aged Governor Philipps in London, hoping he and others will encourage our undertaking and when he or they have signed to so good a work to send the paper hither again.

In 1732 Lieut.-Governor Armstrong enclosed a petition of mine to H.M. amongst the public papers of this government and recommended me to you; but I have heard nothing of it since. I pray that in compassion to a poor, helpless, blind man in his 65th year, you will lay that petition before H.M. and procure me some relief. *Signed.* 2½ pp. *Endorsed,* Recd., Read 16 November 1737. *Enclosed,*

420. i. Warrant by Lieut.-Governor Armstrong requiring John Adams, William Skene, William Shirreff, Erasmus James Philipps and Otho Hamilton to proceed to Hampton to attend H.M.'s service in the matter of settling the boundaries between Massachusetts and New Hampshire. 2 July 1737. *Copy.* 1 p. *Endorsed,* as covering letter,



420. ii. Form of covenant for promising subscription towards building a parish church at Annapolis Royal, payment to be made to a committee appointed by Lieut.-Governor Armstrong consisting of John Adams, Rev. Richard Watts and John Dyson, storekeeper. 25 April 1733. *Signatory*, L. Armstrong, for the divine work, 40*l.* 1 *p.* *Endorsed*, as covering letter. [C.O. 217, 8, *fos.* 20-24*d.*]

421  
July 22.  
Kingston. Robert Millar to [? Trustees for Georgia]. I have at last received a recommendatory letter from Count Montijo to the Viceroy of Mexico, if which prove effectual in procuring me liberty of travelling into that country I hope the tours I shall make there will prove of greater consequence than any I have as yet made. The ipecacuanha that I have already got here, of which I acquainted you in my last of the success I had in them, I have now also the pleasure of confirming it that they succeed here equally with that of their native climate from where I brought them, though as yet they are not come to that perfection to flower and seed but I expect they will in two or three months hence which is the proper time for them. I thought it not proper to transplant or transport any of them as yet as there are but a few that are come to this perfection out of the many I brought with me especially as I propose myself immediately to go to Georgia upon my return here from Mexico; and in that time I also expect to have the seed of them. If I have done amiss in this particular by not complying with your last orders I hope you will forgive me as I have intended it for the best and hope it will prove so. There has as yet no opportunity offered of going to Campeche or Vera Cruz since the receipt of that letter. The first that does I certainly will accept of and hope to give you a better account in six or seven months after I set out of this tour than I did of my last. *Signed.* 2 *pp.* [C.O. 5, 639, *fo.* 382, 382*d.*]

422  
July 22.  
Georgia Office. Harman Verelst to John Mathias Kramer at Krefeld. I received yours of 23 July (N.S.) and should be glad to know what numbers of people are left behind and their ages and sexes and if Mr. Hopes will send them to Georgia on a contract for a certain number and if possible not exceeding 60 heads. When I have your answer in particulars as to numbers left, their ages and sexes, you shall hear further. *Entry.* ¼ *p.* [C.O. 5, 667, *fo.* 24*d.*]

423  
July 27.  
Palace Court. Minutes of meeting of Trustees for Georgia. Received of Dr. Hales, 10*l.* his subscription towards building two churches in Georgia and other religious uses. Received of William Belitha, 10*l.* his subscription towards the same purposes. Received, receipts from the bank for 10*l.* paid by James Vernon, 100*l.* paid by the same, 10*l.* paid by Robert Eyre. [See No. 411.] Received, same for 10*l.* 10*s.* the subscription of John Temple towards the same purposes. Received, a benefaction of a person who desires to be unknown of a seal for the town-court of Savannah with an engine or press affixed on a frame and table, the whole amounting to the value of 22*l.* 15*s.* Resolved, that the town-courts of Savannah and Frederica be the courts of law for trying offences against the Act for preventing the importation and use of rum in Georgia. 1½ *pp.* [C.O. 5, 687, *pp.* 32-33.]

424  
July 27.  
Georgia Office. Benjamin Martyn to Bailiffs and Recorder of Frederica. The trustees named in the trust-grant are to put the bearer, John Woolley, in possession of a town lot in Frederica. *Entry.* ¼ *p.* [C.O. 5, 667, *fo.* 25.]

425  
July 28.  
Havana. Letter of John Kineslagh, master of *Prince William*. This is to give an account of my being brought here by a Spanish *guarda-costas* as they call them, *alias* pirates; who, had it been the greatest war that ever

was, could not have used us much worse, not only taking all we had but plundering the cargo and robbing the ship of her stores which they pretend is on account of Braziletta wood Mr. Richard Rowland shipped that came from Providence. They dispute whether any such grows, which we have proved. Now they dispute our king's title to that island. How it will end I cannot tell but am in hopes to acquaint you by the next opportunity. I beg you will forward the enclosed and give Mr. Rowland an account of the affair if he is in England or Ireland. They took us in lat.  $31^{\circ} 30''$  and long.  $55^{\circ}$  or thereabouts from London on 24 March, having been but 10 days from St. Kitts. Please to put it in the news that they detained seven of my people, vizt. Robert Merchie, chief mate, and Samuel Herbert, second, Owen Tudor, Richard Ing and Benjamin Thompson, men before the mast, Thomas Harwood and Benjamin Percival, apprentices, in their ship; and sent me, my carpenter and four more guarded by 23 Spaniards and an Irishman for a pilot. Had it not been for one of them, the rest had agreed to throw the pilot and us six overboard; but they two used us as well as was in their power. How long we shall be detained here I cannot tell, but as soon as this affair is over I shall send or carry the proofs to you in order to recover insurance by the first opportunity. They have my books or else I would have sent a manifest of my cargo in order for you to acquaint the shippers and receivers of these affairs. However, I desire you will make it as public as possible. *Signed*. PS. It was a ship of 24 guns, 340 men, and a sloop of 10 guns and 120 men, who took us. I have nothing more to add only it is a public talk I am to be cleared. *Illiterate*.  $1\frac{1}{2}$  pp. *Endorsed*, Recd. 11 October from Mr. Trelawny. [C.O. 137, 56, fos. 62-63d.]

**426** Attorney-General and Solicitor-General to Council of Trade and  
 July 28. Plantations. We have considered the queries sent in Mr. Popple's letter of 21 June last, the first of which is whether the Act of the Trustees of Georgia or of any assembly can grant to any of the provinces an exclusive trade with the Indians in that province. We are of opinion that such an Act would be destructive of the general right of trading which all H.M.'s subjects are entitled to and therefore repugnant to the laws of Great Britain, and that no Act of the Trustees of Georgia or of any assembly can grant such an exclusive trade, though the method of trading within each province may be regulated by the laws thereof. As to the second query, whether the Act above-mentioned excludes all persons whatsoever whether inhabitants of Georgia or not from trading with the Indians of Georgia except such as take out licences, we are of opinion it does, such taking out of licences being no more than a proper regulation of trade within the said province. *Signed*, D. Ryder, J. Strange.  $1\frac{1}{2}$  pp. *Endorsed*, Recd. 28 July, Read 3 August 1737. [C.O. 5, 366, fos. 3-4d.]

**427** John Martin Bolzius to [Harman Verelst<sup>1</sup>], gratefully acknowledging  
 July 28. letter of 17 March last and the redressing by the Trustees of several  
*Ebenezer*. difficulties; we hope they will show us their further care in redressing the others by the arrival of James Oglethorpe. It is my duty to return the Trustees thanks that they have resolved the full allowance of provisions to the third, and the reduced allowance to the first and second, Salzburghers without expecting any repayment; and that they have sent orders to Mr. Causton to pay our new boat, of which we have made use hitherto with good success. The Salzburghers have endeavoured last winter and spring to the utmost of their strength to clear grounds more than for every family was at this time laid out for their own possession and have planted them with all manner of care and industry, expecting now a good crop. They would have done

<sup>1</sup> See No. 149.



more but for sickness: more than half of our people are now taken by a bad fever and disabled. Those who are in better health assist them as much as they can, though their own businesses want them in their own field. Worms damage so much the young corn that they must lose, if not the whole, the most part of the crop. The surveyor, Ross, has engaged to begin running out our farms in September. The people will be very well satisfied if they can have but few acres of good ground and so they will be enabled by and by to improve the barren; but without good ground at all they never think to get their livelihood. It was but a little crop which some of the first, and two or three persons of the second Salzburghers, have got at Old Ebenezer at our removal and was much damaged by horses and deer. I beseech the Trustees to allow them that crop. If it should be accounted as a part of the reduced allowance it would redound to a great discouragement to that people. As to the tools, hogs and poultry of the third Salzburghers, we hope they will be supplied with as soon as Mr. Causton is able to do it. He told me some of the 16*l.* sterling which should be laid out for building our houses and a schoolhouse should be applied for buying the said hogs and poultry. This money being not sufficient for one house, I entreat the Trustees to give orders for building our houses. Some of the ten cows Mr. Oglethorpe gave the third transport are dead or run away. The said people crave the Trustees for a cow and a calf for every family. Mr. Causton has paid our salary almost by goods and provisions of the store. *Signed*. PS. Present my service to Mr. Martyn and tell him that I have sent to Mr. Ziegenhagen an account of the effects which some Salzburghers of my congregation have left behind them. For the stones for a handmill the Trustees have sent to the use of the Salzburghers, I return thanks. 4 *pp.* [C.O. 5, 639, *fos.* 384-385*d.*]

428

July 29.  
Whitehall.

Order of Committee of Privy Council for Plantation Affairs referring back to Council of Trade and Plantations their report of 5 May on petition of Sebastian Zouberbuhler to reconsider the same and examine the allegations in the enclosed memorial. *Signed*, James Vernon. *Seal.* 2 *pp.* *Endorsed*, Recd. 8 August, Read 11 August 1737. *Enclosed*,

428. i. Memorial of Sebastian Zouberbuhler to Committee of Privy Council; London, 13 July 1737. The Council of Trade and Plantations has reported favourably on his scheme for settling Swiss Protestants in South Carolina except in regard to the 2800*l.* Carolina currency he prays for. This is the same Col. Purry had: memorialist's grant of 48,000 acres is a great deal less valuable than Col. Purry's and his expenses very great. Prays reconsideration. *Copy.* 2½ *pp.*

428. ii. Report of Council of Trade and Plantations to Committee of Privy Council; Whitehall, 5 May 1737. *Copy*, of No. 268. 3½ *pp.* [C.O. 5, 366, *fos.* 7-12*d.*].

429

July 29.  
Whitehall.

Same, referring the enclosed to Council of Trade and Plantations. *Signed*, James Vernon. *Seal.* 2 *pp.* *Endorsed*, Recd. 15 August, Read 17 August 1737. *Enclosed*,

429. i. Petition of John Hamilton to the King. There are great tracts of land in South Carolina lying unsettled and uncultivated to the prejudice of both England and that province. The soil is well suited to the culture of vineyards for wine and fruit, for coffee, coconuts, olives for oil, hemp, flax and several other commodities very advantageous to the trade of England. Petitioner has long studied how to propagate these commodities and desires to make a considerable settlement in that province. He has been at great pains and expense to procure and agree with about 140 Protestant families skilled in the cultivation of such commodities to settle there, who are all ready to embark as soon as he is ready to receive them. He is able to

procure many hundreds more upon proper encouragement. He prays for a grant of 200,000 acres of land in South Carolina for this purpose which he will oblige himself to take up in one, two or four parcels in the most convenient places for such commodities where it has not been already set out to other persons. He prays that part of this land may be taken up in some of those townships which were set out by the governor but not yet settled, and that quitrents may be remitted for the first ten years. *Copy. 2 pp.* [C.O. 5, 366, *fos.* 13-15*d.*]

**430** Francis Fane to Council of Trade and Plantations. I have no objection  
August 1. in point of law to an Act passed in Virginia in 1736 to dock the entail of certain lands whereof Lewis Burwell is seised and for settling other lands and slaves of greater value to the same uses. *Signed.*  $\frac{1}{2}$  *p.* *Endorsed,* Recd. 3 August 1737, Read 24 January 1737/8. [C.O. 5, 1324, *fos.* 99, 99*d.*, 104, 104*d.*]

**431** Minutes of meeting of Trustees for Georgia. Received, receipts from  
August 3. the bank for 10*l.* paid in by Dr. Hales and for 10*l.* paid in by William  
Palace Court. Belitha. [See No. 423.] Read, an appointment of the town-courts of Savannah and Frederica to be the courts of law for trying offences against the Act for preventing the importation and use of rum in Georgia. The seal was affixed thereto, secretary to countersign. 1 *p.* [C.O. 5, 687, *p.* 34.]

**432** Benjamin Martyn to Thomas Causton, by Capt. Shubrick. The  
August 3. Trustees have received the packet of letters which you forwarded to  
Georgia Office. Mr. Eveleigh and in this packet your diary, with which they are well pleased and expect you will continue and send it every opportunity, especially since you have received (as they hope) John Pye. They have sent you another clerk, Samuel Hurst, with whom likewise comes Samuel Smallwood to be sent to Frederica for the service of the storekeeper there. The Trustees approve of your care in managing the stores and your striking off the idle persons who have not performed their covenant of cultivating their lands according to the time expressed in their grants; which, had they done, they would by this time have been able to subsist themselves and for want of this ability they have put the Trustees to a very great expense who are determined not to support any longer in idleness those who have so little regard to the Trust and themselves. The Trustees desire that you will see that the arms be kept clean and in good repair and you must tell the constables that they expect this from them. They hope that the officers in Savannah (as they expect any favour from them) will co-operate in their respective stations with friendship and unanimity to maintain the peace of the colony and give good example to the inhabitants. If ever there is any attempt to introduce martial law, the Trustees order you always to oppose it for no martial law can be declared without an express order from the Trustees or some persons authorized by them for that purpose.

In relation to the Moravians taking up arms, the Trustees think you should only have called upon them for two men, that is to say, one for each lot of Mr. Spangenberg's and Mr. Nitschman's, and on their sending two men, whether Moravians or others provided they are not servants, it will be a discharge of them from that duty. As to their request of the Trustees giving them leave to remove from the colony, you must acquaint them that no such application has been made to them from Count Zinzendorff through whom the Trustees have always treated with them. And till they receive such an application from the count they can say nothing to it. But the enclosed articles have been settled with Count Zinzendorff which you must put in execution in the most favourable manner to them you can and treat them on every occasion with a brotherly love and tenderness.



The Trustees have observed with satisfaction that Mr. Jones, the surveyor, has provided himself with hands for carrying on the necessary work of surveying the great lots towards the west and they hope he will go on to finish the surveying and running out the whole that those who have made his neglect of doing it a pretence for their idleness may be left without excuse if they continue in it. Mr. Stephens, who goes over by this ship, is appointed secretary for the affairs of the Trust within the province of Georgia. You must on all occasions give him what assistance you can to enable him to discharge the trust reposed in him. You will see by Mr. Verelst's letter what allowance is to be made him. *Entry*. PS. The Trustees have ordered that Robert Hows's house be rebuilt (as it was before it was burnt down) out of the fund for religious uses in consideration of his services. 1½ pp. [C.O. 5, 667, fo. 26, 26d.]

433

August 3.  
Georgia Office.

Same to Thomas Hawkins at Frederica. The Trustees have with great concern heard of some differences at Frederica among the persons in commission. They expect that you inform them as soon as possible how the same began and what has happened thereupon, and they hope you will continue keeping a regular account of all occurrences and send it by every opportunity that offers. As you are sensible the Trustees can govern themselves in their care and provision for the province only by the accounts which they receive from thence you must know that the readiest way to gain and keep their favour is to be punctual and very particular in writing to them. As the people must not depend upon the Trustees subsisting them beyond the time allotted in their grants (unless very good reason shall appear to them for doing otherwise) they must know that they cannot be too early in the cultivation of their lands. You must therefore omit no opportunity to press and solicit them to this and assure them that as industry will prove their greatest happiness so it will be the surest recommendation of them to the Trustees. As the Trustees have passed some laws which have been approved by H.M. in Council and as they are preparing others for the better regulation of the colony, they expect a due obedience be paid to the same and that the magistrates will do their utmost to support them and preserve good order among the people. *Entry*. 1 p. [C.O. 5, 667, fo. 25, 25d.]

434

August 3.  
Georgia Office.

Same to Bailiffs and Recorder of Savannah. There being reason to believe that in course of time some neglects may happen in putting in execution the laws that were made here and approved of by H.M. for the peace and welfare of the colony, and as the Trustees are determined to see the same be punctually obeyed, they do hereby repeat their orders that you do in your several stations use your utmost endeavours to make the said laws effectual. And in particular the Trustees expect and require that the constables and tithingmen upon duty do never fail giving their assistance in staving what rum may be brought into the province, and they do farther hope and expect that as you will set an example to the people by a strict obedience to their orders and their laws and by a vigorous maintenance of them, so the people will likewise pay a dutiful regard to the same and that all the inferior officers will be assistant to you in supporting and executing them on every occasion. *Entry*. ½ p. [C.O. 5, 667, fo. 25d.]

435

August 4.  
Whitehall.

Alured Popple to Francis Fane enclosing three Acts passed in Montserrat and Nevis in February and March 1736/7 for his opinion in point of law, vizt. Acts for further restriction of slaves; for raising a levy or poll-tax; for regulating the militia of Nevis. *Entry*. 1 p. [C.O. 153, 16, fo. 63.]

**436** Francis Fane to Council of Trade and Plantations. I have no objection  
 August 5. in point of law to an Ordinance for asserting and maintaining the  
 rights and privileges of H.M.'s subjects of South Carolina to a free trade with the  
 Creek, Cherokee and other nations of Indians. *Signed.* 1 p. *Endorsed,* Recd. 5 August,  
 Read 10 August 1737. [C.O. 5, 366, fos. 5-6d.]

**437** Governor Jonathan Belcher to Council of Trade and Plantations. Since  
 August 8. last letter of 11 July, a quorum of H.M.'s commissioners for settling  
 Boston. the boundaries betwixt this province and New Hampshire have met  
 at Hampton and adjourned to this day to receive the demands of this province; which  
 adjournment they need not have made had the king's commission been directed to my  
 care, for it arrived some time before the General Court rose at their last session, but  
 neither the governor nor the assembly knowing anything of it the demands of this  
 province were not prepared as they might have been, but they will this day be given in  
 to the commissioners. And to-morrow I set out for New Hampshire to meet that  
 assembly at Hampton, having adjourned the assembly of this province to the town of  
 Salisbury, so the assemblies will be within five miles of each other, the better to facilitate  
 what may be necessary on their parts to bring this long depending controversy to a  
 happy conclusion. *Signed.* 2½ small pp. *Endorsed,* Recd. 26 September, Read 5 October  
 1737. [C.O. 5, 880, fos. 70-71d.]

**438** Lieut.-Governor David Dunbar to Alured Popple. I have yet heard  
 August 9. nothing of Mr. Wilks but that he and young Mr. Belcher make great  
 rejoicing at my distresses as I am disabled from soliciting my complaints against the  
 governor. I presume now my Lords Commissioners will have new matter against him.  
 I saw yesterday a letter of 7 July from Boston that Frederick's Fort was abandoned, the  
 next news will be that the Indians have razed it and burnt the houses in it, and then the  
 governor and Massachusetts people will have their ends in preventing the settlement of  
 that country because their lands in their new townships would be depreciated thereby;  
 this is the true reason of their opposition. I earnestly beg you will present my humble  
 duty to their lordships and beseech them to make a report upon the dispute between the  
 governor and me and upon the behaviour of the council there in disobeying H.M. and  
 their lordships' orders, of which there are very many proofs, but the two papers here-  
 with sent you are the most flagrant. If their lordships are of opinion that I have a right  
 to a moiety of the salary it would more than pay Mr. Wilks's demand on me, which is  
 for one of Mr. Kingsmill Eyre's notes endorsed by me. I hope their lordships will be  
 moved with compassion at my misfortunes, all which are owing to my too forward  
 zeal in carrying on the new settlements by which I flattered myself I should powerfully  
 be recommended to the favour of H.M. and ministers. I had no other view in it and if I  
 had met with no opposition I should there have done more than ever man did before  
 me in founding and settling a fine colony without any expense to the crown. I beg you  
 will recommend my request to their lordships' consideration. My licence of absence is  
 now expired and I am persuaded my lords would not desire my return to have my  
 commission from H.M. so treated as it has been hitherto by the gentlemen of the council  
 and those in employment there; if they go without resentment for despising H.M.'s  
 orders and their lordships', what may they not be encouraged to do? *Signed.* 2 small pp.  
*Endorsed,* Recd. 10 August, Read 7 September 1737. *Enclosed,*

438. i. Minutes of Council of New Hampshire, 27 April 1737, recording with-  
 drawal of four members of the council on the discovery that the meeting had not  
 been ordered by Governor Belcher. The remaining members advised that the papers



concerning the boundary question should be left with the committee appointed by the general assembly to attend the boundary commissioners. *Copy*, certified by David Dunbar, 6 May 1737. *Signatory*, Theodore Atkinson. 2 pp.

438. ii. Minutes of the same, 11 June 1735, recording a resolution taken by 7 votes to 3 that it is not sufficient notice to deliver an attested copy of the king's order disallowing an Act of the province for changing the situation of three of the courts of Quarter Sessions to the judges or justices concerned. The order to be sent to the governor at Boston. *Copy*, certified by David Dunbar. *Signatory*, Richard Waldron, Secretary. 2 pp. [*C.O.* 5, 880, *fos.* 63-68d.]

## 439

August 10.  
Palace Court.

Minutes of Common Council of Georgia. The accountant acquainted the Common Council that pursuant to order of 6 July last the following six drafts had been made on the Bank of England dated 14 July: Ald. Heathcote to pay outstanding orders, 700*l.*; Messrs. Samuel and William Baker in full of two certified accounts from Georgia, 997*l.* 6*s.* 9*d.*; Messrs. William Pomeroy and Sons in full of two certified accounts from Georgia, 812*l.* 19*s.* 11*d.*; Simson Levy in full of a certified account from Georgia, 218*l.* 7*s.* 5*d.*; Lawrence Williams in full of three certified accounts from Georgia, 371*l.* 18*s.* 11*d.*; Messrs. Peter and I. C. Simond in full of four certified accounts, 330*l.* 13*s.* 8*d.*; and for sola bills of the 1500*l.* sent by Capt. Keat, 1017*l.* A certified account being brought for payment dated 4 May 1737 whereon Mr. Causton has stated 75*l.* 9*s.* 11*d.* sterling due to Messrs. Minis and Salomons, and Mr. Causton having certified 2 May 1737 to have received 50*l.* per their account current for 50*l.* in sola bills, and no other account appearing, so that it is reasonable to conclude the said 50*l.* were paid them in part of the said 75*l.* 9*s.* 11*d.*; resolved, that 25*l.* 9*s.* 11*d.* be paid to the order of Messrs. Minis and Salomons in full of the said account unless any other account shall be produced for the said 50*l.*

Resolved, that to each servant out of time before Christmas next 50 acres of land be granted (the land to be set out in villages) on proper certificates of good behaviour; and that a cow and a sow be given to each. Resolved, that Mr. Oglethorpe be desired to issue to Francis Moore now in England 650*l.* sterling value in sola bills of 5*l.* each, being the residue of 3150*l.* value in sola bills made out by order of Common Council 4 August 1736 which remain locked up; and that the said issue be dated on a day in November last before Mr. Oglethorpe and Francis Moore left Georgia; and that the said bills be sent by the *Mary Ann*, Capt. Thomas Shubrick, to Paul Jenys at Charleston to be forwarded to Mr. Causton as cash for the supply of the colony; and that any five of the Common Council be empowered to draw on the Bank of England from time to time for payment of the said 650*l.* in sola bills as they shall become payable on their return to England in the same manner as for the payment of the 4000*l.* sola bills already issued in Georgia. Resolved, that sola bills to the value of 4850*l.* be made out, whereof 1850*l.* to be in bills of 1*l.* each, 1500*l.* in bills of 5*l.* each, and 1500*l.* in bills of 10*l.* each, making 2300 bills. Resolved, that the plates for printing the said bills be altered in such manner as James Oglethorpe may sign them whether in England or in Georgia, and that the said bills be issued in Georgia by him or his order to defray the established expenses in Georgia to Lady Day 1738. Seal to be affixed to the said bills and the accountant to sign them.

A certified account from Georgia being laid before the Common Council whereon 368*l.* 5*s.* 10*d.* South Carolina currency appears to be due to Jemmet Cobley, and a letter of attorney being produced empowering Thomas Bishop to receive the same; ordered, that 49*l.* 2*s.* 1*d.* be paid to Thomas Bishop in discharge thereof being at the rate of 750*l.* currency for 100*l.* sterling. An account being received of delivery of 70 pipes of Madeira

wine at Frederica at 13*l.* sterling a pipe and of 5*l.* 5*s.* for pilotage amounting to 915*l.* 5*s.* demanded by Capt. James Pearse as due to Robert Ellis for the same; but it appearing that 100*l.* sterling having been paid to Lawrence Williams for a bill drawn on James Oglethorpe 8 December last by Robert Ellis on account of his contract for said wine; ordered, that 815*l.* 5*s.* be paid to Capt. Pearse and a draft be made on Bank of England for payment thereof. Signed the said draft.

The accountant acquainted the Common Council that pursuant to order of Common Council of 29 April last a draft had been made on the Bank for 50*l.* to David Salomons for payment of sola bills and was signed 20th of last month. Resolved, that as the town of Savannah is very much increased gowns be sent over for the magistrates to wear in court, purple edged with fur for the bailiffs and black tufted for the recorder. Resolved, that 31*l.* 10*s.* be paid to William Stephens for his expenses. Ordered that the following certified accounts be paid: 181*l.* 7*s.* 3*d.* for provisions delivered by Thomas Ware; 215*l.* 18*s.* 5*d.* for provisions and necessities delivered by Lawrence Wessels. Ordered that 26*l.* be paid to Daniel Booth for charges of making silk. Resolved, that 3000*l.* be paid to Ald. Heathcote for the use of the Trust; signed a draft on the Bank of England for the same. 7½ *pp.* [C.O. 5, 690, *pp.* 94-101.]

## 440

August 10.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Henry Jewel, 10*l.* subscription of Viscount Tyrconnel towards building two churches in Georgia and other religious uses. Received, a receipt from the bank for 10*l.* the subscription of Rev. John Burton towards the same purposes. Read, a memorial to H.M. concerning the defence of Georgia. [See No. 443.] Seal affixed thereto, secretary to countersign. 2 *pp.* [C.O. 5, 687, *pp.* 35-36.]

## 441

August 10.  
Savannah.

Thomas Causton to James Oglethorpe. I have drawn bills of exchange on you of this date in favour of Messrs. Abraham Minis and Co. or order for 20*l.* sterling having received of him the like value in cash which with bills dated 10 January, 10 February and 18 May all last past make together the sum of 200*l.* which you agreed to, the better to enable me to settle my farm. *Signed.* 1 small *p.* [C.O. 5, 639, *fos.* 392-393*d.*]

## 442

August 10.  
Hawk in  
Frederica River.

Captain James Gascoigne to [Benjamin Martyn<sup>1</sup>]. Since my last of 15 June, letters have been sent by the governor of St. Augustine complaining the Creeks have killed some of their people, desiring all possible means might be used to prevent such things hereafter. The letter was directed to Mr. Horton who wrote a suitable answer. A few days since a letter came directed to me, of which I enclose copy with my answer; the three men were taken on Amelia and delivered to the Spanish officer whose rank was a lieutenant of horse. As I find the occasion of the alarm lately in this colony and Carolina has just reached St. Augustine from Havana, therefore imagine the Spaniards will be frequently sending trifling messages in order to see our improvements and increase in numbers; and as it would be a great disappointment and hindrance to the town of Frederica to have the men always on their guard to receive the Spaniards, or the bad consequences might attend their being surprised, I shall lay here to attend such messages; which will prevent any discourse between the Spaniards and the inhabitants. As to my ship's company they never speak together because I always entertain the officer at my house and the crew belonging to the launch are lodged by themselves; and that they may not put ashore at Cumberland or Amelia in their return I always send my officer to command

<sup>1</sup> See No. 625.



the boats which conduct them back. Nothing in my power shall be wanting to contribute to the improvement of the place and am sorry the season has been so very dry as to burn up all that has been planted but it has been the fate of the whole continent, corn being sold now in Charleston for 5s. a bushel. I have given my reasons to the Admiralty for continuing here instead of going to Carolina to refit. My ship's company continue in health having lost only one man by sickness in 22 months. *Signed. 1½ pp. Enclosed,*

442. i. Florida, 11 August (N.S.) 1737. Don Manoel Joseph de Justis to Capt. James Gascoigne. Three transport men have run away from this town and amongst them there is one that is not a Spaniard whose name is Bastandin: he is a man that nobody can trust anything to for he has behaved very vilely all his life, and therefore I advise you to let all your boats and small vessels be on their guard for they will slip no opportunity to take any boat they can make themselves masters of. *Copy, certified by James Gascoigne. 1 p.*

442. ii. Georgia, 2 August 1737. Capt. James Gascoigne to Don Manoel Joseph de Justis, Governor of St. Augustine and Capt.-General of Florida. I have your letter and assure you no means shall be wanting to discover the men mentioned therein. I believe they are not yet got our length but lest they may have passed by undiscovered I shall this day send a copy of your letter to the governor of Carolina by express. I assure you the men should have been sent back in confinement had they come hither not having your pass, without which no man will be suffered to go through this colony as on the contrary no person shall be detained one moment that produces it. And if they shall be taken you may certainly depend on my immediate returning them to the look-out at St. Juan's. The early example you gave of maintaining a good understanding between the subjects of Spain under your care and this colony will ever meet the strictest endeavours to the same purpose. *Copy, certified by James Gascoigne. 1 p. [C.O. 5, 639, fos. 387, 388, 389, 389d.]*

443 August 10. Memorial of Trustees for Georgia to the King. Georgia being very much exposed to the power of the Spaniards and become an object of their envy by having valuable ports upon the homeward passage from the Spanish West Indies and the Spaniards having increased their forces in the neighbourhood thereof, memorialists find themselves obliged to lay before H.M. their inability sufficiently to protect Georgia and therefore pray that the province be protected by a necessary supply of forces. *Entry. Signatory, Benjamin Martyn. 1 p. [C.O. 5, 711, p. 67; another entry in C.O. 5, 670, p. 329.]*

444 August 10. Savannah. Hugh Anderson to Earl of Egmont, acknowledging kindness in procuring credit on the stores of Savannah. It has pleased God at last to land me in safety at this place with 15 of family and servants. The state of the public garden with my opinion of what steps may render it fitter for the intended design I have committed to a memorial which I have enclosed to Mr. Anderson. I have written Mr. Anderson to request some favours of the Trustees in relation to a lot for one of my younger sons. What time can be spared from the necessary affairs of life will be spent in the study of nature; what discoveries I can make I shall communicate to you. *Signed. 1 p. [C.O. 5, 639, fos. 395-396d.]*

445 August 10. Whitehall. Alured Popple to Francis Fane enclosing two Acts passed in Antigua in April 1737 for his opinion in point of law, vizt. Acts for attainting slaves who abscond and for banishing others concerned in the late conspiracy; for trial of John Coteen and Thomas Winthrop. *Entry. 1½ pp. [C.O. 153, 16, fos. 63d, 64.]*

**446** Francis Fane to Council of Trade and Plantations. I have no objection  
 August 10. in point of law to an Act passed in Virginia in August 1734 for docking  
 the entail of certain lands in the counties of Gloucester and Elizabeth and vesting the  
 same in Henry Willis in fee simple. *Signed.*  $\frac{1}{2}$  p. *Endorsed,* Recd., Read 10 August 1737.  
 [C.O. 5, 1324, fos. 57, 57d, 62, 62d.]

**447** Council of Trade and Plantations to the King. Neither we nor Mr.  
 August 11. Fane have any objection against an Act passed in Virginia in October  
 Whitehall. 1734 for docking the entail of certain lands in the counties of Gloucester  
 and Elizabeth City and vesting the same in Henry Willis in fee simple. *Entry.*  
*Signatories,* Monson, T. Pelham, James Brudenell, R. Plumer. 1 p. [C.O. 5, 1366, pp.  
 146-147.]

**448** Charles Carter, William Fairfax and William Beverley, deputed by  
 August 11. Lord Fairfax to be his commissioners agreeable to H.M.'s Order in  
 Northern Neck. Council of 29 November 1733, to Duke of Newcastle. In conjunction  
 with a like number of commissioners appointed by the lieutenant-governor on the part of  
 H.M., we gave the necessary instructions to qualified surveyors to trace up and measure  
 the river Potomac and the two main branches of Rappahannock river to their respective  
 first heads or springs, which the surveyors performed and delivered in their plots. We  
 have from them caused a correct map of all that tract or territory of land lying and being  
 between the said two rivers of Potomac and Rappahannock, which with our observa-  
 tions we have transmitted to the Lords Commissioners for Trade for H.M.'s information.  
 Memorial enclosed to be presented to H.M. *Signed.* 1 p. *Endorsed,* Recd. 7 December.  
*Enclosed,*

448. i. 11 August 1737. Memorial of same to the King reporting the conclusion  
 of the survey of the bounds of Lord Fairfax's claim and asking for royal approval of  
 the report sent to the Commissioners for Trade. *Signed.* 1 p. [C.O. 5, 1337, fos.  
 191-194d.]

**449** Report of commissioners appointed by Lord Fairfax to survey the  
 August 11. boundaries of his grant of land in Virginia, to Council of Trade and  
 Northern Neck. Plantations. The chief disputes are whether the south or north branch  
 is the main river of Rappahannock and which is the first head or spring of Potomac.  
 These rivers being surveyed, Lord Fairfax's commissioners and the king's were unable  
 to agree upon a general plan and report. The former employed John Warner, a noted  
 surveyor, to form the map now enclosed. They are of opinion that a line drawn from  
 the first head or spring of the south or main branch of the Rappahannock to the first  
 head or spring of the Potomac, as returned by the said surveyors, is and ought to be the  
 boundary line determining the said tract or territory of land commonly called the  
 Northern Neck. The name Rapidan was first given to the south branch by Col. Spots-  
 wood. Lord Fairfax's commissioners have now the report of the surveyors attesting the  
 south branch of the Rappahannock to be more than 21 miles longer than the north.

In H.M.'s order-in-council of 29 November 1733 the lieutenant-governor here was strictly  
 enjoined from granting lands within the disputed boundary till settled. For many  
 years past the proprietor's agent has been obliged to enter caveats against such grants;  
 and although actual patents may not have issued since the king's order was delivered  
 to the lieutenant-governor, yet very many surveys have been made. Lord Fairfax's commis-  
 sioners engaged on his behalf to bear equal expenses of the survey with the king's  
 commissioners, but the latter have paid some very extraordinary salaries and allowed



several accounts to which objection is made. *Signed*, Charles Carter, W. Beverley, W. Fairfax.  $4\frac{1}{2}$  pp. *Endorsed*, Recd. from John Sharpe, with a large map and four papers, 16 March, Read 24 March 1737/8. *Enclosed*,

449. i. Order of Governor Edward Nott and Council of Virginia, 2 May 1706.

Robert Carter, agent for the proprietors of the Northern Neck, having objected to a patent pending for a grant of land to Edward Barrow and others, the council are of opinion that as it is not yet known which branch of the Rappahannock river is really the main river, the two branches be therefore viewed by a surveyor on behalf of H.M. and another on behalf of the proprietors and the breadth and courses of the said branches measured that it may appear which is the larger; and in case the difference be so small that no determination can be made, a representation be made to H.M. for directions therein. Meanwhile no patents are to issue either from the crown or the proprietors. Col. William Churchill, Capt. John Taliaferro and Richard Buckner with Henry Beverly, surveyor, are appointed on H.M.'s behalf to meet such persons as shall be appointed by the proprietors, to view the branches of the rivers and to report. *Copy*, certified by signatories of covering letter. 1 p. *Endorsed*, as covering letter.

449. ii. Report of the commissioners for H.M. and the proprietors, 28 September 1706. Having viewed the branches of the Rappahannock, they were unable to determine which is the larger; both seemed of equal magnitude. *Copy*, certified as preceding. *Signatories*, John Taliaferro, Richard Buckner, Francis Taliaferro, Ed. Mountjoy, Thomas Jeas, Hancock Lee, John Waugh, Giles Traverse, Thomas Gregg, surveyor.  $\frac{1}{3}$  p.

449. iii. Certificate of hunters in the woods above Rappahannock falls that both branches of the river continue fair streams; they can give no account of the comparative sizes. 28 September 1706. *Copy*, certified as preceding. *Signatories*, Ed. Mountjoy, Giles Traverse, Thomas Jaes.  $\frac{1}{3}$  p.

449. iv. Certificate of John Taliaferro that about 24 years ago he went up the south and north branches of the Rappahannock river with Col. Cadwallader Jones. Their judgement was that the south river was the bigger and they were so informed by the Indians. 28 September 1706. *Copy*, certified as preceding.  $\frac{1}{3}$  p. *Endorsed*, as covering letter.

449. v. Affidavit of Francis Thornton. *See* No. 467. vi. *Copy*, certified as preceding.  $\frac{1}{2}$  p.

449. vi. Affidavit of Thomas Harrison. *See* No. 467. viii. *Copy*, certified as preceding. 1 p.

449. vii. Affidavit of John Taliaferro. *See* No. 467. v. *Copy*, certified as preceding.  $\frac{1}{2}$  p.

449. viii. Affidavit of William Russell. *See* No. 467. vii. *Copy*, certified as preceding.  $\frac{1}{2}$  p. *Endorsed*, as covering letter.

449. ix. List of patents for land westward of Sherrando river and in the forks of Rappahannock granted since October 1735. Total: 80 patents, with names of patentees, number of acres of land granted, date of survey and date of patent. Certificate by Matthew Kemp, clerk of the secretary's office, that the preceding is accurate and that no patents have passed the colony's seal for any lands claimed by Lord Fairfax since his lordship's order from the king was produced to the governor, except where the same had been entered for, surveyed, and rights purchased before the producing the said order. Williamsburg, 12 July 1737. *Copy*, certified as preceding. 2 large pp.

449. x. List of all surveys made in the forks of Rappahannock river, 31 January

1734/5-1 April 1737. Total: 140 surveys, with names of persons for whom the surveys were made and the acreage of land surveyed. *Copy*, certified as preceding. *Signatory*, J. Wood, surveyor of Orange County. 2 large *pp*. *Endorsed*, as covering letter.

449. xi. W. Fairfax to William Byrd, John Robinson and John Grymes, commissioners for settling the boundary disputes, proposing that a start be made. Williamsburg, 27 April 1736. *Copy*. 1 *p*.

449. xii. William Byrd, John Robinson and John Grymes to William Fairfax, stating that the fall is the appropriate time for the survey; 30 April 1736. *Copy*. 1 *p*.

449. xiii. Same to Charles Carter, William Beverley and William Fairfax, commissioners for Lord Fairfax; Williamsburg, 16 December 1736. We have received Wood's survey of north branch of Rappahannock; it is absolutely necessary that the north branch of the little fork should be measured up to the head spring, otherwise it will not appear by the general map how far the crown has granted. We have ordered Wood to measure this branch. We are surprised at an artifice which Lord Fairfax's surveyors have used in taking the breadth of the two rivers; we are informed that Thomas the elder insisted upon measuring the south river from bank to bank and his son upon the north river only from the water's edge, thereby to make the south river appear to be the larger. We have ordered Wood to measure the north branch again below the little fork from bank to bank. *Copy*. 1 *p*.

449. xiv. Reply to preceding; Northern Neck, 5 February 1736/7. We agree to proposal to survey the north branch of the little fork; we must insist that the south branch of the last fork of the south river, called Conaway river, be surveyed, and have ordered Thomas the elder to measure it. Thomas the elder says that he measured the south river from bank to bank to satisfy himself how much broader the stream could be by any great freshes. Lord Fairfax directs that the Rappahannock be surveyed and measured on the south side to the outermost banks of which he also claims. We propose a meeting of the two sets of commissioners at Rappahannock. *Copy*. 1½ *pp*.

449. xv. John Robinson to William Beverley; Piscataway, 2 April 1737. The king's commissioners do not object to Conway river being measured. They think it best to meet Lord Fairfax's commissioners at Williamsburg: any time during the court will do. *Copy*. ½ *p*.

449. xvi. King's commissioners to Lord Fairfax's commissioners; Williamsburg, 3 May 1737. A survey of the south side of the Rappahannock would be attended with great delay and expense; we hope Lord Fairfax will not insist upon it. We hope the surveys will all be returned by 15 June and will then be glad to meet in Williamsburg. *Copy*. 1½ *pp*.

449. xvii. 10 May 1737. Reply to preceding, complaining of withholding assent to survey of south side of Rappahannock. We propose a meeting near the Northern Neck for preparation of fit matter for the general map and report to be finally agreed on. We shall gladly meet you when we can have any assurance that you will proceed with all becoming dispatch as our undivided powers require, which the little you did towards preparing a report when last at Williamsburg gives us cause to mention. *Copy*. 1½ *pp*.

449. xviii. King's commissioners to Lord Fairfax's commissioners; 15 June 1737. Having been informed that you are all in town we should be glad to see you that you may explain some dark passages in your last letter. *Copy*. ½ *p*.

449. xix. Same to same; 16 June 1737, repeating objections to survey of south side of Rappahannock, denying charges of injustice and delay, and making counter-charges of delay. *Copy*. 2 *pp*.



449. xx. Reply to preceding; 16 June 1737. We will not enter into endless disputes but request a time and place of meeting. *Copy.*  $\frac{1}{2}$  p.

449. xxi. Reply to preceding; 16 June 1737. You have used us ill. We shall make the best representation we can without your assistance. *Copy.*  $\frac{1}{2}$  p. *Endorsed*, as covering letter. [C.O. 5, 1324, *for.* 105-121d.]

450

August 11.  
Whitehall.

Alured Popple to John Basket, requesting 100 copies of each of the following Acts of Parliament: 10 and 11 Wm. III, Act to encourage trade to Newfoundland; 13 Geo. I, Act for importing salt from Europe into Pennsylvania; 3<sup>1</sup> Geo. II, Act for importing salt from Europe into New York; 3 Geo. II, Act for granting liberty to carry rice from Carolina to Europe south of Cape Finisterre; 5 Geo. II<sup>2</sup>, Act for reviving Act for better securing trade of H.M.'s subjects to and from East Indies; 8 Geo. II, Act for extending to Georgia the liberty of carrying rice to Europe south of Cape Finisterre; 9 Geo. II, Act for further encouraging manufacture of sailcloth. *Entry.*  $1\frac{1}{2}$  pp. [C.O. 324, 12, pp. 231-232.]

451

August 11.  
Whitehall.

Same to Governor William Mathew. The Council of Trade and Plantations have received your letters of 17 January, 5 February, 11 and 26 May and the papers therein referred to, and have also seen your letters to me of 1 June, 3 July, 16 September 1736, 17 January, 5 February, 11 and 26 May 1737. As you have sent the bill for attainting of high treason two free negro men named Ben Johnson and William *alias* Billy Johnson for the Council to represent their opinion thereon to the king, you should have sent at the same time the evidence at large that was given against them, without which the Council cannot advise the king. An exact and authentic copy of all evidence that was before the council and assembly should be sent by the first opportunity. *Entry.*  $1\frac{1}{2}$  pp. [C.O. 153, 16, fo. 64, 64d.]

452

August 11.  
Hampton Court.

Commission to Edward Trelawny to be major of all H.M.'s forces in Jamaica. *Entry.* 1 p. [C.O. 324, 37, p. 77.]

453

August 11.  
Georgia Office.

Harman Verelst to Thomas Causton, by Mr. Stephens per Capt. Shubrick, copy by Capt. Reid. Your letter with the accounts of the remain of stores at 22 November 1736, your receipts of stores since that time to 31 December following, your general issues thereof for the same time with your particular issues from 22 November 1736 to 31 January following, and the several persons' accounts taken from the ledger from February 1735/6 to 23 November 1736, were received by the Trustees. It would have been more satisfactory had your general issues shown what part thereof went to the southward, you having been directed by Mr. Oglethorpe to supply the people there according to the quantities stated 5 November 1736 which would be wanting to complete their establishment of provisions for a year and a quarter from November 1736 to February 1737/8, and a copy of the said establishment and quantities of provisions was left with you for that purpose. The Trustees desire you will continue the copies of your day-books of receipts and issues of stores, and they direct you that at the end of every month a copy of the day-book of your receipts during the said month and a copy of the day-book of your issues in such month be made out and that you will send such copies enclosed to them by every opportunity,

<sup>1</sup> MS: '13'.

<sup>2</sup> MS: blank.

taking receipts from the boatmen for the delivering them to the merchant at Charleston you send them to, to be forwarded to England, that the Trustees may know what merchant they are to ask after their letters if not received.

In your letter of 24 February last you mention that the queries on your accounts before February 1735/6 should be answered as soon as possible. To be sure, your want of proper assistance was the real occasion of those defects; but as a re-examination will set everything right I hope from your answers to state the expenses of the colony abroad under their proper heads. I have enclosed you the accounts current of persons abroad taken from the Trustees' ledger here to compare with their accounts in the ledger you keep in order that such accounts may be balanced (except Mr. Bradley's whose account at present is to be kept open) or what is due thereon when it is a proper time to demand the same may be received; and if any of the persons are dead or have left the colony please examine if they accounted for or discharged their balances at all. But the Trustees would have no hardships put upon industrious men by oppressing them for their debts, for they direct you to be kind to the industrious, at the same time that you take care that the idle do not impose upon the Trust. Mr. Cookesey's account is come to hand and the Trustees are willing to give him 12 months' time for payment of the balance due from him and they would not have you lay any hardship on him no more than on other industrious men nor to take away such men's effects to be an hindrance to their improvements.

The expenses of the colony being by establishments limited, the one made up by Mr. Oglethorpe and yourself for the northern division (a copy of which has been formerly sent you and another now) and the other for the southern division herewith sent, the Trustees hope that no exceeding has been made and they direct that no exceeding shall be of the said establishments. They have extracted from that made up at Savannah the enclosed annual expense of the northward, and the southern establishment is the annual expense of the southward which at those rates are to be continued from the receipt of this letter to Lady Day 1738; and there is no addition or exceeding to be made on any account whatsoever. But as unforeseen accidents may happen by which whole families may be ruined for want of some small assistance or that strange Indians may come in and require a welcome or strangers or other unforeseen incidental charges may arise, the Trustees therefore confiding in you, you may expend in such contingencies not mentioned in the establishments a sum not exceeding 20*l.* sterling a month in the northern division of the province; but they recommend you not to exceed 5*l.* a month in such contingencies unless in cases of very urgent necessity as above, and you must take care to give a particular account of such contingencies and in your diary which you send the Trustees (and which they desire you will continue to do monthly) you are to give your reasons for such contingent expenses. And you are to furnish as far as 20*l.* sterling a month to Mr. Horton for contingencies in the southern division upon his certifying to you the occasions. The Trustees are resolved to bring the expenses of the colony to a certainty and to send over cash in sola bills sufficient to pay those expenses. If that certainty is exceeded there will always be a want which they can make no provision for and it must end in the destruction of the whole. To prevent which they have pursued Mr. Oglethorpe's method of the before-mentioned establishments. But if these are not perfect, as nothing can be expected to be so at first, you may apprise the Trustees of such articles as there may be savings upon and of such other expenses if any shall be as you shall see necessary. Yet you must not make any expenses or alteration in the establishments until the Trustees return you an answer to such proposals as you shall make. But you must go on until those answers are received upon the rules of the establishments; for should expenses arise in Georgia larger than what the Trustees expect and



what they have calculated for, it will create the greatest confusion since it may exceed what they have appropriated for that purpose.

In the northern establishment there is a provision of 300*l.* sterling to be advanced in provisions on credit to freeholders for clearing their lands, but not exceeding 4*l.* sterling to any one freeholder, which you are to use in the application thereof in such manner as to keep the industrious people from dispersing, and you are to have a particular regard to those who cultivate lands in the villages. The Trustees think it is better not to advance above the value of 20*s.* sterling per acre fenced and planted in corn, which credit is to be repaid in corn in two years after.

The Trustees have sent you 650*l.* sterling in sola bills, C. 201-330 of 5*l.* each, which are to be applied for three months' pay to the persons in the enclosed list if so much is due to them at the receipt of this letter; and what is more than due will be cash in your hands for the service of the colony. The said sola bills are in the box hereafter mentioned which contains also a seal for the town-court of Savannah, and the Trustees will send by the next ship more sola bills to supply the colony with according to the expenses they have allowed to be made by the establishments before-mentioned. And they direct you to encourage those inhabitants who raise Indian corn, pease or potatoes, by buying from them for supplying the colony to Lady Day 1738 and to allow them the premium of 1*s.* a bushel if they have raised sufficient before you buy of others. The Trustees desire to know whether you took from Mr. Stirling's and Mr. Baillie at the Ogeechee the corn that grew there, and if you did not the reasons for not doing it.

The Trustees desire to know whether the house is built at Coanoochi Ferry and the boat bought for it, whether Thomas Mouses's house is built, and how much has been advanced to Andrew Duche and whether Walter Augustine and his assistants have been supplied with provisions while repairing the sawmill and to what value. They desire you will send them an account of persons on the store pursuant to former orders whose year or time for being supplied is not expired and who are not provided for by the establishments, with the times when they will be off the store; and they direct that the maintenance of such persons should be continued until their time of maintenance is expired or until such account is received and the Trustees' orders thereupon. I have enclosed you a copy of Mr. Bradley's agreement with the Trustees, and they desire you to keep his account open; for at Mr. Oglethorpe's instance they intend to take into consideration the damage that may have arisen by his not having the 30 servants to cultivate the land according to their agreement, and I have written to him a letter to that purpose. The credits to John Brown and the other families who want such credits, though sent at their friends' expenses whereof the widow Polhill's is one, must be further carried on by subsisting them at the freeholder's allowance per whole head and their servants at the servant's allowance; and their accounts must be made up and signed by each master or mistress of the family to produce to their friends here that they have been so supplied with subsistence and to be a demand upon them if exceeding the money they have already contributed.

When Capt. Thomson arrives from Scotland the servants (over and above the 40 for the Trust) which he shall bring and dispose of to masters in Georgia may be supplied on credit to the masters of such servants who shall really want it with a bushel of corn per month for each servant for the first year, the servants' indentures to be security for the repayment thereof in corn in two years; and you must send the Trustees an account thereof. Capt. Thomson will bring you a bale of tartan for plaids and short coats and short hose and will bring you 150 pairs of Highland shoes, and each of the servants which remain to the Trust and are to be sent to Lieut. Moore Mackintosh at the Darien (as mentioned in my letter by Capt. Thomson) are to be furnished with a plaid, a short

coat and short hose, two shirts and two pairs of shoes a year, which must be sent to Lieut. Moore Mackintosh for that purpose, and the same for the other Highland servants belonging to the Trust under Mr. Hugh Mackay. Please acquaint Lieut. Mackintosh that one of the 40 servants sent at the expense of the Trust whose indenture will be particularly assigned is to be delivered to John Mackintosh of Leniwillg in lieu of a servant he lost in the Trustees' service. You are to supply Tomo Chachi and his Indians and the Savannah Indians and the Indian school with provisions, which the Trustees cannot now bring to a certainty for want of sufficient information; but they desire that you would bring it to a monthly certainty in such manner as the Indians may be entirely satisfied and the Trustees know their expense and that you would by the next ship give them an account thereof. You are to give the Indians that come to Savannah, when sent for and not otherwise, while they stay, such wine and beer as shall be absolutely necessary but not exceeding a pint of wine or a quart of beer a day to each person, and the same proportion you may send to Tomo Chachi in case he should send for it upon account of sickness among his Indians.

In my letter by Capt. Dymond you were desired to supply the southward with gunpowder and were acquainted that 49 kegs were on board consigned to Johnny Brownfield. If you have not bought and supplied the southward with that quantity, you are again desired to send so many kegs to them. The Trustees hope that all demands of expenses abroad to Lady Day 1737 are come to hand and by the certified accounts received since that time they observe that you and Mr. White have received in store as follows, vizt. provisions and necessities bought at Savannah of Lawrence Wessells, 17 April 1737, 215*l.* 18*s.* 5*d.*; 70 pipes of wine bought of Robert Ellis and delivered at Frederica, 21 April 1737, 915*l.* 5*s.*; orders due from Dr. Nuness and Adrian Loyer certified at Savannah to Messrs. Minis and Salomons, 4 May 1737, 6*l.* 19*s.* 9*d.*; provisions bought of Thomas Ware at Savannah, 27 May 1737, 181*l.* 7*s.* 3*d.* Total, 1319*l.* 10*s.* 5*d.* And the Trustees now know you have received the sola bills they sent in March last by Capt. Dymond to the amount of 1000*l.* (two of them having come back). Total, 2319*l.* 10*s.* 5*d.*

I have by the Trustees' orders written to Mr. White at Frederica, that if he has not sent 40 of the 70 pipes of Madeira wine to you at Savannah for the store there, that he would send so many, and have acquainted him as I now acquaint you that the said 70 pipes were not designed for the daily consumption of the inhabitants on the store but were intended and must be given out as pay due or to grow due to the officers, soldiers and labourers in the Trustees' service and therefore as money, and to be at prime cost which is at the rate of 13*l.* 1*s.* 6*d.* sterling a pipe, or given out as an allowance of a pint a day to those that work for the Trust when there is no strong beer. But the lying-in women are to be supplied with the usual allowance of wine out of this wine and also the sick persons with what shall be prescribed by the doctor.

All the 1500*l.* sola bills are come back and paid except the 40*l.* you paid Capt. Barnes, and several certified accounts have been received and paid after deducting of errors in computation. Those now under reference for payment which have errors in them are as follows: Jemmet Cobley's account certified 28 March 1737 to be 369*l.* 15*s.* 10*d.* currency due to balance is but 368*l.* 5*s.* 10*d.* which in sterling at 750*l.* per cent. is 49*l.* 2*s.* 1*d.* to be paid his attorney here, the difference in currency is 1*l.* 10*s.*; the 4th May 1737 you certified 75*l.* 9*s.* 11*d.* sterling due to Messrs. Minis and Salomons on their account current, and two days before you certified your receiving 50*l.* of them in their account current for 50*l.* in sola bills and, no other account current being produced, the said 50*l.* will be deducted from the 75*l.* 9*s.* 11*d.* and will reduce the same to 25*l.* 9*s.* 11*d.* which should have been taken notice of in the said certified account that on the payment



of the said 50*l.* bills no more than 25*l.* 9*s.* 11*d.* was due to them, without there is any other account current for the said 50*l.* not yet arrived; Thomas Ware's certified account of provisions you bought 27 May 1737 amounting to 181*l.* 7*s.* 3*d.* sterling is over-computed 30*s.* and thereby reduced to 179*l.* 17*s.* 3*d.*, but the other copy come to hand is right and therefore the whole will be paid; and Lawrence Wessells's account of provisions and necessities you bought 17 April 1737 amounting to 216*l.* 11*s.* 5*d.* sterling is over-computed 13*s.* and thereby reduced to 215*l.* 18*s.* 5*d.*

The Trustees are apprehensive that the expenses which have been run into upon account of the fort will exceed their establishments, and as such the people were very much in the wrong for thinking of putting them to expenses which they think improper. You were in the wrong to comply at all in the beginning but what makes it something excusable in you was the terror the people might have been under; and you were much in the right to insist upon not going farther in it. The cutting down the wood was a great folly, for that wood was a better defence than any fort that they could erect by the garden. Such a fort would be of no use but by commanding the river which might have been better defended from the guardhouse, battery and guns in the wood. The town would be as open to an enemy overland as if no such fort had been. The real defence of the town is the woods and the swamps, and a few men who know the country assisted by the Indians might have made a much better defence in the woods than in the fort, since thereby they could have prevented an enemy from coming to the town which they could not by defending the fort. And Savannah is as strong by the swamps and river which surround it as any town in America though fortified. For fortifications without a garrison are no defence and the same garrison as would defend a fort can keep the passes of the swamps. Capt. Macpherson judged extremely right; and the whole scheme of the fort seems more to be a design to draw money from the public store than any defence against an enemy. For the cutting down the wood which commanded the river and where cannon and men under the shelter of the trees might have been conveniently posted is a real weakening of the place. The Trustees therefore find themselves obliged to give you positive orders not to make any expense beyond the establishments nor to be ruled by other people to expend the Trust money contrary to their orders; and they direct you not to suffer any trees to be cut down by the spring.

The town of Savannah being now grown considerable and having withstood the attempts of their open and private enemies, the Trustees have thought proper that in order to give more weight and distinction to the court and to show their favour to the town to send gowns for the magistrates and recorder to wear in court, and the same are to be kept in a proper press locked up in the court; and they have sent a seal for the town-court of Savannah to authenticate the proceedings of the court sent over to England and all affidavits, certificates and other material papers which require a testimony to them; and they have sent an engine for the seal which affixes to the wooden table sent for its use and fastens with a bar of iron underneath, the nut on the top of the engine unscrews to let in the fly and then must be screwed on again. The four screws at the bottom of the table are to screw the table to the floor whereon the seal is used to keep it firm. The seal is put into a small bag being first covered with mutton-suet to keep it from rust, and before it is used it must be wiped with a cloth very clean before a fire or in the sun, and after it is used must be covered with the like suet or sweet oil to prevent its rusting. The seal will put into the socket of the engine either way for being affixed either at the top or bottom of papers as occasion shall be, and there is a small pin which goes through the socket and neck of the seal to keep it tight and there are proper wafers sent to put under square pieces of paper to impress the seal upon; but before impressed a quire of brown paper or something of a plying substance must be

laid upon the plate the engine falls on and under the paper to be sealed to strengthen the impression. If at any time you have papers to annex to what the seal is affixed to, some green ribband (of which the Trustees have sent you a piece and a needle to use it) will be proper to annex such papers with, and the ribband which goes through the papers so to be annexed being also put through the paper to be sealed the two ends of that ribband must be put between two of the wafers and then covered with a square piece of paper, whereon the seal being impressed will authenticate the papers annexed as well as the papers sealed; and as a specimen you have enclosed an impression on the top and at the bottom of a sheet of paper.

Mr. Stephens who brings you this comes over to settle in Georgia and is appointed by the Trustees secretary for the affairs of the Trust within the province of Georgia. His constitution and instructions he will show you. Himself and two others including his third son are to be supplied for the first year with 6 lbs. of beef a week each, 2 lbs. of rice, 2 lbs. of pease and 2 quarts of flour a week each, a pint of strong beer a day each, a quart of molasses a week each, 4 lbs. of cheese, 2 lbs. of butter, 2 oz. of spice, 2 lbs. of sugar, a gallon of vinegar, 6 lbs. of salt, 3 quarts of lamp oil and 3 lbs. of soap a quarter each, and 1 lb. of spun cotton each. His woman servant and each of his ten menservants are to be supplied for the first year with 200 lbs. of meat and 342 lbs. of rice, pease or Indian corn, together with contingent food for the said eleven servants to the value of 8s. sterling each. You are to supply Mr. Stephens with 50*l.* sterling in the first year after his arrival in Georgia at such times and in such manner as he shall find occasion for it with part of the sola bills that will be sent you by the next ship. Mr. Stephens comes over in the *Mary Ann*, Capt. Thomas Shubrick, for Charleston and brings with him one woman servant and four menservants. Mr. Jenys is written to to defray the charge of sending him and the passengers and goods with him from Charleston to Georgia, and Mr. Jenys is to draw upon the Trustees for that expense. The passengers which come with him besides his own servants are: Mary Smallwood, wife of Samuel Smallwood, sent on *Two Brothers* to be a clerk at Frederica, the agreement with him is enclosed, his wife must be provided with a year's provision as a first settler; Samuel Lander, indenture sent herewith, and another manservant, indenture with Mr. Stephens, both to be sent to Cooper, the millwright, to be employed in the Trustees' service under him; Richard and Elizabeth Warrin, two orphan children, to be maintained out of the rents and profits of their late father's house and 50-acre lot; five recruits, and the wives of two of them, for the independent company now under Mr. Oglethorpe's command who must be sent to the southward with the other things hereafter mentioned; Mr. Woolley and a manservant who at his father's expense is going to settle at Frederica.

The parcels shipped are consigned to Paul Jenys at Charleston to be forwarded to you and consist of the following: case containing engine for town seal and parts; case containing table and frame for the same; box containing the three purple gowns for the three bailiffs and a black gown for the recorder of Savannah; the *Daily Advertizers*, 13 September 1736–17 June 1737, both inclusive; 50 of the printed Act for maintaining the peace with the Indians, 50 of the printed Act for preventing the use of rum, and 50 of the printed Act for preventing the use of negroes, some of which Acts are to be sent to Frederica; a small case directed for Tomo Chachi containing a piece of red cloth which the Trustees have sent him a present of, and you must acquaint him it was made at Mr. Oglethorpe's order for him at Godalming in Surrey; a box directed to yourself containing the town seal, 400 wafers for sealing, green ribband, needle, 650*l.* in sterling sola bills and several letters for persons in Georgia; a box with caper plants and herewith you receive directions how the gardener is to manage them; a trunk directed to Richard



White at Frederica; a box directed to John Welch at Frederica; 14 half-barrels of gunpowder whereof eight are for cannon and six for small arms, the cannon powder and two of the half-barrels for small arms are for the independent company and must be sent with the recruits, and the other four half-barrels must be put into the Trustees' store for small arms; two bundles and a scane containing 1 cwt. of match, half for the independent company, half for the store; cask containing union flag for the independent company; 100 cannon balls of 2 pounds each and 50 cannon balls of 3 pounds each, for the independent company; five pigs of lead containing about 6 cwt. whereof 2 cwt. must be sent to the independent company to make bullets with and the rest must lie in the store at Savannah; and three casks containing about 5 cwt. of Cheshire cheese whereof 1 cwt. must be sent to Lieut. Moore Mackintosh at the Darien to be divided by him among the people there, 1 cwt. to Frederica to be divided by Mr. Horton's order among the people there, 2 cwt. to be equally divided among the magistrates, constables and tithingmen at Savannah, and the other 1 cwt. to be sent to the store at Frederica to be disposed of according to Mr. Horton's orders for the boat's crew's company's service.

The Trustees observing in your diary that John Vanderplank, John Penrose and John Lyndall had endeavoured to convict sailors of selling rum, to encourage them for such endeavours they have directed you to pay them the moiety of the penalty by the Act provided as if the sailors had been convicted, to be divided equally between them. The Trustees, having taken into consideration that menservants who serve faithfully in the colony all the time of their several indentures deserve encouragement at the end of their service on proof that they behaved well, have agreed to grant to each of such menservants who are or shall be out of their time before Christmas 1737, 50 acres of land instead of the 20 first agreed for, and to give him a cow and a sow, and that their land be set out in the villages as soon as they are out of their service and proof given of their behaviour. If Rosse the surveyor has not surveyed at Ebenezer, you must vacate his demands and put his agreement in force. I am to exhort you to take all the care you can to manage the Trust store with the greatest frugality and to have at the same time a care not to discourage the industrious and not to be imposed upon by the idle who are drones eating upon the public and at the same time evil mouthed even to their benefactors. There are great numbers of very honest and industrious people in the colony who are silent and easily contented and these the Trustees hear little of; these should meet with the greatest countenance and not to stretch anything so as to make them uneasy but rather to interpret all orders in their favour as far as the words will bear it. You are farther to encourage the villages. Those who live upon their lands and raise corn and provisions will be useful members to the colony and also serviceable to themselves. Consider how much money has been laid out in provisions, and if there was raised within the colony so much as to sell to the store what was wanted, what an advantage it would be to the whole and to the particular man who had produce to sell, since that besides the Trustees' bounty of 1s. per bushel he would have the advantage of carriage over strangers. I must conclude by recommending to you to be careful and tender of the poor and sick and to take care that the clerks of the store behave with decency and submission to the people who come for their allowances, for they are paid by the Trustees for attending upon the people; and as they are not to injure the public by giving petulant people above their allowances, they are to give with civility and dispatch that which is allowed.

The Board of Trade have consulted the Attorney-General upon the Act for maintaining the peace with the Indians in Georgia and his opinion is entirely in favour of the proceedings of Georgia under that Act, and the determination of that matter will be in their favour. The Trustees desire you will send over some acorns of the evergreen oak

from Georgia and let them know what soil is best for them. You are desired to send a certificate of the life of Elizabeth, wife of Joseph Smith in the new ward and first tithing thereof at Savannah, lot 202, in case her maiden name was Parker, it being necessary here to prove her living on account of some estate held for her life. Mr. Stephens has seen the contents of this letter and will explain any article you may want any enquiry upon. *Entry. 11 pp. Enclosed,*

453. i. The Annual Expense of the Northern Division of Georgia. Capt. Macpherson and 25 rangers at Fort Argyll, 629*l.* 14*s.* 4*d.* (Note: If a supply has been voted at Charleston for Macpherson's rangers, there will be a saving on this article); John Cuthbert and 6 rangers, 168*l.*; Mr. Willy and 3 rangers, 96*l.*; the storekeeper at Savannah, 50*l.*; 3 clerks, 120*l.* (Note: This by the 2 clerks sent will be reduced lower and will answer for the advanced pay of Cuthbert and Willy above that of the rangers); provisions for 4 magistrates, 4 constables, 15 tithingmen at Savannah, constable and 6 tithingmen at Ebenezer, 7 peace-officers at Hampstead, Highgate, Skidoway, Tybee, Abercorn, Thunderbolt and Fort Argyll, 277*l.* 10*s.*; Capt. Mackintosh and 10 men at Fort Prince George, 241*l.* 7*s.*; capt., lieutenant and 15 men at the fort at Augusta, 324*l.*; the Italian silkwinders, 78*l.* 19*s.* 11*d.*; hire of 10 men making the western road, 162*l.*; other items [*particulars given*], 803*l.* 1*s.* 10*d.* Total, 2950*l.* 12*s.* 1*d.* sterling. Additional items not included in total: provisions on credit to freeholders, 300*l.*; Mr. Stephens's extraordinary expenses, 50*l.* The cost of other items concerning Indians, Mr. Stephens, etc. is not given. *Entry. 2 pp.*

453. ii. Expense of the Southern Division of Georgia. Establishment at Frederica, 74*l.* 17*s.* sterling and 1375*l.* Carolina currency per annum plus provisions for year and a quarter: meat 30,670½ lbs.; rice, 23,289¾ lbs.; corn, 928 bushels; flour, 2554½ lbs.; beer, 3666 pints; molasses, 3608 quarts; cheese, 391 lbs.; spice, 585 oz.; sugar, 292½ lbs.; vinegar, 390 quarts; salt, 585 lbs.; oil, 214 quarts; soap, 292½ lbs.; butter, 292½ lbs. Establishment of St. Andrew, 52*l.* 10*s.* sterling and 1632*l.* Carolina currency per annum plus provisions for year and a quarter: meat, 10,296 lbs.; rice, 5148 lbs.; corn, 103 bushels; flour, 400 lbs.; beer, 1600 pints; molasses, 320 quarts; cheese, 200 lbs.; spice, 64 oz.; sugar, 150 lbs.; butter, 200 lbs. Establishment of Darien, 26*l.* a year plus provisions for year and a quarter: meat, 4678 lbs.; corn, 282 bushels; cheese, 129 lbs.; butter, 2672 lbs.; plus provisions for as many of the 40 servants by the *Two Brothers* as remain to the Trust. Carolina and Georgia scoutboats establishment, 2880*l.* currency a year, plus provisions for year and a quarter. *Entry. 1½ pp.*

453. iii. List of persons to be paid 3 months pay with the sola bills sent by the *Mary Ann*, Capt. Shubrick, 11 August 1737. *Entry. ½ p.* [C.O. 5, 667, *fos.* 26*d.*–34.]

454

August 12.  
Georgia Office.

Harman Verelst to Lieut. Moore Mackintosh. The Trustees have by the *Two Brothers* sent over 40 menservants to be sent to the Darien. One is for John Mackintosh at Leniwillg in lieu of a servant he lost in the Trustees' service, the others for freeholders at the Darien upon credit, one to each who shall desire it. Those that remain to the Trust you are to employ in sawing boards for the public use. Mr. Causton will send you clothing and shoes for each of them and for the other Highland servants under Hugh Mackay. He will also send you 1 cwt. Cheshire cheese to divide among the people at the Darien. The muskets ordered to be sent you for the Darien could not be finished in time but by the next ship they will be sent, which is expected to sail next month. But Mr. Causton will send you some guns that went by the *Two Brothers*. *Entry. ½ p.* [C.O. 5, 667, *fo.* 34*d.*]



455

August 12.  
Georgia Office.

Same to Paul Jenys. The Trustees received your letter of 20 May and also one from Robert Ellis with his account of the delivery of 70 pipes of Madeira wine and charge of pilotage amounting to 915*l.* 5*s.*, whereof 100*l.* was paid by the discharge of a draft from him on Mr. Oglethorpe 8 December last and the residue the Trustees have paid to Capt. Pearce. The Trustees are very much obliged to you for supplying Mr. Ellis with the South Carolina currency he stood in need of upon the credit of their storekeeper's certificate, which is a fresh instance of your friendship to Georgia and the Trustees. And to prevent any distress happening in that colony the Trustees sent Mr. Causton in March last 1000*l.* sterling in their sola bills which arrived safe the beginning of June; and they will continue to send their sola bills sufficient to supply the colony under the limited expenses they have directed should be made. Your kind concern for the late disputes between South Carolina and Georgia and your zeal to effect a reconciliation was very obliging and agreeable to that behaviour you have always shown both in public and private capacity.

Mr. Stephens the bearer is going to settle in Georgia with his servants. The Trustees desire you will send them and the others by this ship, 18 in all, to Georgia as soon as possible; Mr. Woolley and his manservant may go with them. Draw on the Trustees for transport and other charges. *Entry.* 1 *p.* [C.O. 5, 667, *fo.* 34, 34*d.*]

456

August 12.  
Georgia Office.

Same to William Horton at Frederica. The Trustees have sent Mr. Causton establishments for the expenses of the northern and southern divisions of Georgia which he cannot exceed. But on your certificate he will furnish you with ability to defray contingent expenses up to 20*l.* sterling a month. He has directions to send to the southward 2 cwt. of Cheshire cheese, 1 cwt. to be divided at Frederica, the other to remain in store at Frederica for the boat-crew's company. The Trustees are much obliged to you for your good services. *Entry.*  $\frac{1}{2}$  *p.* [C.O. 5, 667, *fos.* 34*d.*, 35.]

457

August 12.  
Georgia Office.

Same to Richard White at Frederica. The Trustees not having had any account from you of the issuing the remain of stores under your care for the southern division of the province which was settled 5 November 1736, nor of your receipts and issues since that time, they desire you will by the first opportunity send them such accounts; and by the *Two Brothers* they have sent Samuel Smallwood to be employed as a clerk in the store. Your receipt for the 70 pipes of Madeira wine is arrived and the Trustees direct you will send 40 pipes of it to Mr. Causton at Savannah for the store there; the said wine was not designed for the daily consumption of the inhabitants on the store but was intended and must be given out as pay due or to grow due to the officers, soldiers and labourers in the Trustees' service and therefore as money, and to be at prime cost which is 13*l.* 1*s.* 6*d.* sterling a pipe, or must be given out as an allowance of a pint a day to those that work for the Trust when there is not strong beer. But the lying-in women are to be supplied with the usual allowance of wine out of this wine, and also the sick persons with what shall be prescribed by the doctor. Mr. Oglethorpe desires you will deliver to Lieut. Delegal a hogshead of Madeira wine containing 60 gallons which he is to distribute to the independent company according to the directions Mr. Oglethorpe has sent him, it being Mr. Oglethorpe's gift to drink H.M.'s health upon his having the command of that company. *Entry.* PS. Mr. Causton will send 2 cwt. of Cheshire cheese. 1 *p.* [C.O. 5, 667, *fo.* 35, 35*d.*]

458

August 12.  
Austin Fryars.

Francis Wilks to Duke of Newcastle enclosing the following. It is evidence they consider themselves an easy and happy people. I have been informed some complaints have been lately made for the removal of the governor. I have not seen them but in general I am persuaded they will on examination prove groundless. Nothing could more sensibly afflict the province than having their present governor taken from them. *Signed*. 1½ pp. *Enclosed*,

458. i. Address of congratulation by the governor, council and representatives of Massachusetts to the King on the preservation of his person when in such danger by the furious tempest in his late return to Britain and on his restoration to health. 25 May 1737. *Signed*, Jonathan Belcher, Governor, Josiah Willard, Secretary, John Quincy, Speaker. 1 large p. *Endorsed*, Recd. August 1737. [C.O. 5, 10, fos. 334-336d.]

459

August 13.  
on *Mary Anne*  
at Gravesend.

William Stephens to Harman Verelst, enclosing the following list. We are now preparing to sail, the ship being unmoored. *Signed*. 1 small p. *Enclosed*,

459. i. Passengers on board *Mary Ann*, Capt. Thomas Shubrick, shipped by order of Mr. Verelst: Mr. William Stephens in the cabin; Elizabeth Gilbert, his woman servant; Timothy Randolph aged 19, Anthony Binks aged 22, Robert Fox aged 31, Thomas Lucas aged 21, his four menservants; Mary, wife of Samuel Smallwood; Richard Warrin aged 9, Elizabeth Warrin aged 8, children of late John Warrin; Samuel Lander aged 25, John Ewing aged 34, two menservants of the Trust; Alexander Macdonald, John Grimshaw, Andrew Robertson, James Hodgkin, William Dodds, five recruits for the independent company; Mary, wife of above Alexander Macdonald, Judith, wife of John Grimshaw; John Woolly at his own expense; and James Wigmore aged 21, his manservant. In all 20 persons making 19 heads. *Signed*, William Stephens, 13 August 1737. 1 p. [C.O. 5, 639, fos. 325-327.]

460

August 17.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipt from the bank for 10l. subscription of Viscount Tyrconnel. [See No. 440.] Received of John Laroche, 10l. his subscription towards building two churches in Georgia and other religious uses. ½ p. [C.O. 5, 687, p. 37.]

461

August 17.  
Treasury  
Chambers.

Peter Leheup to Andrew Stone enclosing the following papers and asking that the necessary steps may be taken. *Signed*. ½ p. *Enclosed*,

461. i. Extract of letter dated Virginia, 22 June 1737, from Lieut.-Governor William Gooch [to Peter Leheup], enclosing copy of the record of conviction of Mary Thornton for the murder of her bastard child. All the judges were of opinion that there appeared circumstances sufficient on her trial to induce them to believe the child was still-born and have therefore unanimously desired me to obtain for her H.M.'s pardon by getting her name as usual in the Newgate list. She is a very poor woman, must lie in prison till it comes over at the country's charge, so I hope to have it by one of the first ships. *Copy*. ½ p.

461. ii. Record of the conviction of Mary Thornton in the General Court of Virginia at Williamsburg, 19 April 1737. *Copy*. 1 sheet. [C.O. 5, 1337, fos. 195-199d.]

462

[August 18.]

Memorandum of British title to Carolina and Georgia, based on the discoveries of the Cabots, the capture of St. Augustine by Sir Francis Drake and Charles II's grant of 1665 to the Lords Proprietors of Carolina. Georgia is, with respect to foreign princes, part of Carolina; and Carolina is comprehended in the



treaty of 1670 as part of the dominions of the crown of Great Britain. There can be no pretence for the Spaniards to dispute possession since besides the inhabitants and the Indians who have submitted to the king of Great Britain an independent company belonging to H.M. was in garrison upon the Altamaha river and detachments from them possessed as far as  $30^{\circ} 2''$  [*sic*] till after the year 1720 when they changed quarters and went to Port Royal. With respect to insults or hostilities, none has been committed by any British inhabitant of Georgia; far from it, for the officers of Georgia restrained the Indians from taking revenge upon the Spaniards for a cruel murder lately committed by a party from St. Augustine, and the kind treatment given to the Spaniards on all occasions appears by the late governor of St. Augustine's letters to Mr. Oglethorpe. From the above undoubted evidence it is manifest that the king's dominions in North America extend as far as the 29th degree north and that the Parliament of Great Britain was well satisfied that they did since they purchased so far from the Proprietors. The only dispute which can remain is whether the 29th degree belongs to the king of Great Britain or to Spain. 2 *pp.* *Endorsed*, Recd. from Mr. Oglethorpe, 18 August 1737. [C.O. 5, 654, *fos.* 113-114d.]

## 463

August 18.

Hampton Court.

Order of King in Council referring seventeen Acts passed in Massachusetts in February last to Council of Trade and Plantations for their opinion thereon. *Signed*, W. Sharpe. *Seal.* 1 *p.* *Endorsed*, Recd. 30 August, Read 31 August 1737. Sent to Mr. Fane 31 August, Recd. back 16 January 1737/8: no objection. *Enclosed*,

463. i. Certificate that the following Acts were passed: Acts for supplying the Treasury with 18,000*l.* in bills of credit of present form and 9000*l.* in bills of a new form; to prevent tearing and defacing bills of credit; for regular appointment of petty jurors; for regulating porters in Boston; for making more effectual provision for service of summons; for relief of poor prisoners for debt; in addition to Act for highways; for payment of town and precinct rates; in addition to Act directing admissions of town inhabitants; to prevent gaming; to prevent theft; for regulating service of executions by sheriffs and coroners; for altering times for holding courts; for better regulating swine; obliging coroners to give security for due performance of office; in addition to Act for killing wolves; for killing wildcats. *Signed*, J. Belcher. J. Willard, secretary. *Seal.* 2½ *pp.* *Endorsed*, Recd. from Agent Wilks, 28 July 1737.

463. ii. Copies of the above Acts. *Printed.* 28 *pp.* [C.O. 5, 880, *fos.* 22-39d.]

## 464

August 18.

Hampton Court.

Same directing the governors of Maryland and Pennsylvania to permit no riots or tumults such as that complained of in which the house of one Cresap was attacked and a man killed. Until H.M.'s pleasure be further signified, the said governors are enjoined to make no grants of land and to permit no settlement in the contested lands and in the three lower counties of Newcastle, Kent and Sussex. *Copy*, certified by W. Sharpe. 2½ *pp.* *Endorsed*, Recd. 12 September, Read 14 September 1737. [C.O. 5, 1269, *fos.* 3-4d.]

## 465

[August 18.]

Memorandum of defence of Georgia. By a memorial letter dated 21 September 1736 the Spaniards demanded as far as  $33^{\circ} 50''$  latitude, which is all Georgia and South Carolina. They have since increased their garrison in the neighbourhood. They have sent over a man who himself confesses that he is to guide them in the invasion of those provinces. They now by a second memorial demand that the king would send over no forces to defend his frontiers though they have sent sufficient to conquer them. The safety of several thousand British subjects there and of

30,000 slaves will depend upon the Spanish pleasure; for if there are no forces there they can at will destroy the one and take the other. And it is submitted whether their honour will be sufficient to prevent them from taking the advantage of the defenceless condition of that country and resist the temptation of 600,000*l.* sterling which will be the benefit by taking the slaves, besides the advantages from the conquest of those valuable provinces. If they should choose the profitable rather than the honourable part, what method can be taken for satisfaction? Have they not shown in the seizures of the South Sea Company's effects and of the merchant ships how difficult or impossible it is to recover anything from them? What planters will stay, much less improve, under these circumstances, a Spanish claim made to all their lands backed by regular forces and none to protect them? If the measures proposed before the presenting the last memorial are pursued (vizt. to send a regiment of 600 men besides officers to protect a province purchased by Parliament and settled under royal and parliamentary encouragement), they can give no just umbrage to the Spaniards since the number of men is too small to hurt them and hardly sufficient to protect the king's subjects. 1½ pp. *Endorsed*, Recd. from Mr. Oglethorpe, 18 August 1737. [C.O. 5, 654, fos. 111-112d.]

466

August 19.  
Herrnhuth.

Louis, Count of Zinzendorf, to [Trustees for Georgia<sup>1</sup>]. I gratefully accept the grant you have made for my servants in Georgia: I hope they will meet all their obligations properly. But the principal point, which to my great surprise does not seem to have merited your notice, is that which I thought to have insisted on most and which our people have most at heart: they will not bear arms or use force against anyone, and if any attempt is made to compel them they will withdraw. I beg you to give definite orders either to leave them in peace in this respect or to permit them to make other arrangements. I think the honour of the British nation, always a good mother of her citizens and tender to preserve the liberty of their consciences, requires that they be dispensed. *French. Signed.* 4 pp. [C.O. 5, 639, fos. 398-399d.]

467

August 19.

Lieut.-Governor William Gooch to Council of Trade and Plantations, enclosing report of the commissioners appointed on behalf of the king to settle the boundaries of Lord Fairfax's grant of the Northern Neck, together with a map of the territory claimed by Lord Fairfax and a description of the limits challenged by him, as also those to which H.M.'s commissioners apprehend his lordship ought to be confined. It is very unfortunate that this controversy could not be determined here according to H.M.'s intentions, to which it appeared Lord Fairfax was consenting until the commissioners were ready to go out upon that service; then and not before it was that Lord Fairfax first declared he would not submit the determination of his bounds to any man or men in this country. How he came to change his mind after he had been six months in this country is what he must account for. As I hope what the king's commissioners have done and reported, though separately, will be approved of by H.M., I shall not trouble you with anything more upon this subject than only to acquaint you that notwithstanding the charge of surveyors, chain-carriers etc. has been reduced as low as the nature of the service could admit, it amounts to about 800*l.* currency, though the commissioners have received no satisfaction for their trouble, which they humbly hope will be 200*l.* each.

Such has been the inclemency of the weather during this summer that the crops both of tobacco and corn, for want of rain, are like to prove very deficient insomuch that it has been thought fit to prohibit the export of all sorts of grain and it is to be feared the

<sup>1</sup> See No. 504.



poorer people will suffer extremely, having little corn of their own produce and many of them no tobacco to raise money to purchase it if it be to be had.

About the middle of last April there arrived here from London two gentlemen, Huber, a native of Geneva, and Mackercher, a native of North Britain, and after a few days stay they proceeded to Maryland where they were recommended by Lord Baltimore and where they were engaged to make the first discovery of their errand, which is to enter into contract with the planters to purchase there and in this colony 15,000 hogsheads of Oronoco tobacco for the account of the French farmers of that commodity. Mr. Huber is still in Maryland but about ten days since Mr. Mackercher returned hither and has communicated his scheme in the public papers, and in conversation has heard the objections to it, and designs back to London in a little time to consult his principals upon them. As they propose no other method of carrying on this trade but what is strictly agreeable to the Laws of Navigation I can foresee no inconvenience in the project except the loss it will be to the British merchants in the profit they now make by commissions and other perquisites on the sales of such tobacco which by this method will fall into other hands. But if instead of the planters running the risk of the tobacco home and receiving their price as it weighs upon its delivery at the king's scales, as the gentlemen at first proposed, these farmers will consent to purchase and pay the price here in money or bills of exchange and run the hazard themselves of the voyage, the planters (I will answer for them) will come into it; for it would turn not only to their advantage but to the benefit of the trade in general by being disburthened of that load of mean tobacco which now lies heavy on the merchants' hands and lessens the value of the sweet-scented as well as the better kind of Oronoco, besides a relief to them from the necessity they are now under of hurrying away to foreign markets the old tobacco on purpose to discharge their bonds when they are uncertain whether there be any demand for it. Enclosed are accounts of revenues of quitrents and 2s. per hogshead. *Signed. 3 pp. Endorsed, Recd. 28 November, Read 30 November 1737. Enclosed,*

467. i. Williamsburg, 10 August 1737. Report to Lieut.-Governor Gooch by the commissioners appointed in obedience to H.M.'s order-in-council of 29 November 1733 for surveying and settling the boundaries of the land granted by the crown to the ancestors of Thomas, Lord Fairfax, with the reasons why the commissioners have not been able finally to determine the said boundaries. Lord Fairfax, having first agreed to accept the king's commissioners as his own, later refused to give them any power other than to survey the boundaries claimed and report the facts; which they would not consent to. Lord Fairfax thereupon appointed commissioners of his own, Charles Carter, William Beverley and William Fairfax, but with no power to determine any boundaries. These commissioners claimed for Lord Fairfax all the land contained within the south branch of the Rappahannock river and the main branch of the Potomac as high as the headsprings thereof. The two sets of commissioners agreed to survey the whole of this territory. To survey the main branch of the Potomac, called the Cohongarouton, Mr. Mayo and Mr. Brookes were appointed on the king's behalf and Mr. Winslow and Mr. Savage for Lord Fairfax: their orders were to begin at the confluence of that river with Sharando and from thence to run the courses and measure the distance to its first spring, and of all this to return an exact plat together with a fair copy of their field notes. They were also directed to take the latitude and observe particularly where the said river intersects the 40th degree. In like manner Mr. Graeme and Mr. Thomas the elder were appointed to survey the south branch of the Rappahannock, now called the Rapidan, from the fork to the headspring; and Mr. Wood and Mr. Thomas the younger to survey the north branch, called the Rappahannock. At the same time the surveyors of the several counties in

the Northern Neck were empowered to survey the boundaries of their counties adjoining the Potomac and Rappahannock rivers and the Bay of Chesapeake.

These surveys were made and a map completed in a masterly manner. The king's commissioners report separately from those of Lord Fairfax because the latter were not directed to report in conjunction with the king's and because no agreement could be reached about naming a fit person to form the general map. As to Lord Fairfax's claim, the commissioners can find no evidence that the fork of the Rappahannock river had been discovered at the time of Lord Colepeper's grant. From the surveys made they cannot say which of the two branches is the larger. As Lord Fairfax has produced no evidence to support his claim to the southern branch, the commissioners offer the proofs for restraining his bounds to the northern branch in case it be allowed that he has any right beyond the fork.

The northern branch has from first discovery been called the Rappahannock whereas the southern branch about 20 years ago obtained the name of Rapidan; the northern branch has been a settled boundary to the counties in the Northern Neck; and in 1720 an Act of Assembly erected the county of Spotsylvania which is particularly bounded on the north by the Rappahannock, that is the northern branch. The land between the two branches was settled under the encouragement of exemption from purchasing rights and quitrents. Lord Colepeper in 1686 made a grant to Brent and others of a tract of land to be laid off in such manner as not to come within six miles of the rivers Rappahannock or Potomac; accordingly that distance was observed from the northern branch, which seems a confession that it is taken by the patentee himself from the beginning to be the main branch of the Rappahannock. In several grants of the proprietor's lands which bounded on the northern branch, the river is called the main run of the Rappahannock.

As for the Potomac, it appears that about the time of Lord Colepeper's grant there were no settlements higher than Hunting Creek. Just beyond the Blue Mountains this river divides into two branches, the Cohongorouton and the Sharando; at this fork the name of Potomac ceases so that the fork may not improperly be called the head. In 1730 a good number of foreign Protestants were settled beyond the mountains but no discovery extended very far until this present survey revealed that the Cohongorouton extends 200 miles above the fork. The Rappahannock does not reach higher than the mountains; it could never have been the intention of the grant to bound the territory by streams one of which runs 200 miles higher than the others.

If it shall be thought just to bound Lord Fairfax's claim by a line drawn from the Potomac fork to the Rappahannock fork, his territory will contain at least 1,476,000 acres; if by a line from the head of Hedgman river to the Potomac fork, 2,033,000 acres; if by a line from the head of Hedgman river to the headspring of Cohongorouton, 3,872,000 acres; if by a line from the head of Conway river to the head of Cohongorouton, including the great and little fork of Rappahannock, 5,282,000 acres, which is about as much land as at present pays quitrent to H.M. in all the rest of Virginia. If Lord Fairfax should be so fortunate as to have these extensive bounds adjudged to him, the commissioners beg that the case of all those persons possessed by grant from the crown of lands within those bounds should be recommended to the king. *Signed*, William Byrd, John Robinson, John Grymes. 8½ pp. *Endorsed*, as covering letter.

467. ii. Williamsburg, 7 September 1736. Commission by Lieut.-Governor Gooch to William Byrd, John Robinson and John Grymes, members of H.M.'s council of Virginia, to examine and determine all matters concerning the claim of Thomas,



Lord Fairfax, to the land between the Rappahannock and Potomac rivers. *Copy*. 1½ pp. *Endorsed*, as covering letter.

467. iii. 9 September 1736. Commission by Thomas, Lord Fairfax, to William Byrd, John Robinson and John Grymes, to make a survey of the land between the Rappahannock and Potomac rivers and to report the facts to the governor of the province to be laid before H.M. Sealed in the presence of W. Fairfax and Edward Barradall. *Copy*. 1½ pp. *Endorsed*, as covering letter.

467. iv. 13 September 1736. Commission by the same to Charles Carter, William Beverley and William Fairfax, to survey the lands between the Rappahannock and Potomac rivers and to report the facts. Attested as preceding. *Copy*, certified by Charles Carter, William Beverley, William Fairfax. 2 pp. *Endorsed*, as covering letter.

467. v. Affidavit sworn by John Taliaferro before William Byrd and in the presence of the commissioners of H.M. and Lord Fairfax, 29 September 1736. In 1707 there were but three settlements on the south side of the Rappahannock above Snow Creek which is 9 miles below the falls. On the northern side the highest plantation deponent knew at that time was about three miles below the falls. The forks were known as the north fork and the south fork until 20 years ago when Col. Spotswood named the south fork Rapidan, the other fork being called Rappahannock or the north river. *Copy*. ½ p.

467. vi. Affidavit sworn as preceding by Francis Thornton, 2 October 1736. 34 years ago there were only two settlements on the south side of the Rappahannock above Snow Creek, the uppermost of which was about four miles below the falls. On the north side the uppermost plantation was about two or three miles below the falls. Deponent has been acquainted with the fork for 26 years, one fork being commonly called the south branch and the other the north branch. *Copy*. ½ p.

467. vii. Affidavit sworn as preceding by William Russell, 1 October 1736. Deponent testifies to same effect as No. 467 v. with regard to the names of the forks. Thirty odd years ago the uppermost settlement was a tobacco house built by Capt. Mountjoy now Col. Carter's quarter on the north side a little below the fork. There was a plantation at Scales, about two miles below the falls. *Copy*. ½ p.

467. viii. Affidavit sworn as preceding by Thomas Harrison, 17 June 1737. About 63 years ago the uppermost settlement on the Potomac was no higher than Hunting Creek, about 15 miles below the falls; in the Susquehannah war the people there were obliged to retire. About 50 years ago sundry families settled there again, at which time the falls of Potomac were not known. *Copy*. ½ p.

467. ix. Bargain and sale indented by Thomas, Lord Colepeper of the one part and George Brent of Virginia, Richard Foote of London, Nicholas Hayward of London and Robert Bristow of London, of the other part, 10 January 1686/7. Lord Colepeper grants to Brent and the others 30,000 acres of land in Stafford county between the Rappahannock and Potomac rivers backwards at least six miles distant from the said main rivers. *Copy*. 3¼ pp. *Endorsed*, as covering letter.

467. x. Grant by Marguerite, Lady Culpeper and others to Philip Ludwell of 2020 acres of land in Richmond county on the main river of the Rappahannock, 1 June 1709. *Copy*, certified by W. Fairfax. 1 p.

467. xi. Grant by same to same of 3840 acres of land in Richmond county, 2 June 1709. *Copy*, certified as preceding. 1 p. *Endorsed*, as covering letter.

467. xii. Grant by Governor Nott to Harry Beverly of 1920 acres of land in Essex county, 2 November 1705. *Copy*, certified by Matthew Kemp. ½ p.

467. xiii. Grant by the Crown to Robert Carter of 392 acres of land in Essex county, 22 January 1717/8. *Copy*, certified as preceding. ½ p.

467. xiv. Grant by same to same of 3640 acres of land in Essex county, 22 January 1718/9. *Copy*, certified as preceding. 1 *p.*

467. xv. Grant by same to Henry Willis of 3000 acres of land in Spotsylvania county, 1 February 1726/7. *Copy*, certified as preceding. 1 *p.* *Endorsed*, as covering letter.

467. xvi. Letters patent of Charles II to Thomas, Lord Colepeper, granting all that land bounded by and within the head of the rivers Rappahannock and Potomac, 8 May 1669. *Copy*, certified as preceding. 6 *pp.* *Endorsed*, as covering letter.

467. xvii. Letters patent of James II to Thomas, Lord Fairfax, confirming the preceding, 27 September 1688. *Copy*, certified as preceding. 3 *pp.* *Endorsed*, as covering letter.

467. xviii. Account of H.M.'s revenue of 2*s.* per hogshead arising within the colony of Virginia, 25 October 1736–25 April 1737. Balance brought forward, 545*8*/. 7*s.* 6*d.* Receipts, 1137*1*/. 7*s.* 11*d.* Disbursements, 2352*1*/. 12*s.* 6*d.* Balance remaining, 4244*1*/. 2*s.* 11*d.* *Signed*, John Grymes, Receiver-General. Audited by John Blair, Deputy-Auditor, 5 August 1737. Passed by William Gooch. 2 *pp.* *Endorsed*, as covering letter.

457. xix. Account of H.M.'s revenues of quitrents arising within the colony of Virginia, 25 April 1736–25 April 1737. Balance brought forward, 8363*1*/. 12*s.* Receipts, 3885*1*/. 14*s.* 8*d.* Disbursements, 7713*1*/. 8*s.* 6*d.* Balance remaining, 4535*1*/. 18*s.* 2*d.* *Signed*, audited and passed as preceding. 4 *pp.* *Endorsed*, as covering letter. [C.O. 5, 1324, *fos.* 64–67*d.*, 69–98*d.*]

#### 468

August 20.  
Barbados.

President James Dottin to Council of Trade and Plantations, enclosing public papers. By H.M.'s 46th instruction the commander-in-chief is directed for the prevention of long imprisonment to appoint two courts

of oyer and terminer to be held yearly, vizt. on second Tuesday in December and second Tuesday in June, the charge whereof not exceeding 100*l.* each sessions is thereby mentioned to be paid by the public treasury of this island. I presume this instruction, which is renewed to every governor, was first made before a law of this island dated 11 May 1708, which has been confirmed at home, and which appoints the holding of such courts in the manner mentioned in the instruction; but by one of the clauses enacts that the incident charges of each sessions as to the entertainment of the court and jurors, not exceeding in any session 100*l.* sterling, shall be paid out of H.M.'s casual revenue arising in this island, such payment to be made by the casual receiver for the time being on an order from the governor or commander-in-chief by and with the assent of the council. But the casual receivers having often alleged that they had not sufficient in their hands to defray these expenses, our legislature has made provision for payment out of the treasury, expecting that when the casual receiver has enough in his hands to answer this demand he will pay the same and save that charge to the country, whose credit at present is at the lowest ebb. There has of late been many large sums come into the casual receiver's hands arising by fines and other forfeitures incurred at the sessions, so that he has more than sufficient to defray the expenses of the court, the doing whereof would save a considerable sum to this sinking island. But as this instruction expressly directs it should be paid out of the treasury and is dated long after the passing the law (though probably first conceived before it) I will not give an order on the casual receiver before I know your sentiments hereon, which I am desired by the council earnestly to entreat you to give, that this expense may be saved to the country and paid according to the Act. For otherwise, it is imagined these courts of grand sessions cannot be continued, as no person will undertake to provide for the entertainment of them to be paid by the



public; and as this provision for the payment of it out of the treasury is made by an annual Excise Act it may possibly be discontinued when it is found that the casual receiver is not to pay it. John Maycock, pursuant to H.M.'s directions, has been sworn a councillor. *Signed.* 1½ pp. *Endorsed,* Recd. 17 October 1737, Read 21 April 1738. *Enclosed,*

468. i. List of papers sent to Council of Trade and Plantations: Acts to prevent exportation of clay; to prevent hardships by forestallers, ingrossers and regrators; to enable assignees of debts to commence suits; for ascertaining the price of meat; minutes of council, 1 September 1736-5 July 1737; minutes of general assembly, 28 October 1736-28 June 1737. 1 p. [C.O. 28, 25, fos. 58-61d.]

469

August 20.  
Barbados.

Same to Duke of Newcastle. I have not been honoured with any of your commands for a long time. If H.M. had thought proper to have given any further directions concerning those islands stipulated to be evacuated by the English and French, it would have given me much pleasure and I should most cheerfully have endeavoured to pursue all proper measures to remove the French, who greatly increase in their settlements on these islands, therefrom, as it gives the inhabitants here much concern which you will observe by the council and assembly's addresses to me in the minutes of council of 10 May and 5 July last. This letter accompanies the public papers. By H.M.'s 46th instruction the commander-in-chief is directed for the prevention of long imprisonment to appoint two courts of oyer and terminer to be held yearly. [*Continues, as preceding*] I return thanks for H.M.'s approbation of the two gentlemen I recommended to be of the council here. *Signed.* 2 pp. [C.O. 28, 45, fos. 405-406d.]

470

August 22.  
Savannah.

Thomas Causton to [Trustees for Georgia<sup>1</sup>], enclosing receipts for cash paid and the particular issues at the store to 24 June last. The several accounts current explaining the reasons for each of these will be finished with very shortly and sent by the next conveyance to Charleston. The people are generally in good health, both here and at the southward, and have the happiness now to be well provided with food. As my diary contains the most material occurrences I hope my reference thereto will excuse me from saying anything further at present. *Signed.* 1 small p. *Endorsed,* Recd. 1 December 1737. [C.O. 5, 639, fos. 401-402d.]

471

August 22.  
Georgia Office.

Harman Verelst to Thomas Causton, by the *Charles*, Capt. James Reid. 1000*l.* in sola bills of 5*l.* each, C. 331-530, are sent herewith. As Mr. Oglethorpe is in England and his name is necessary to the bills, these are made out issuable in Georgia for value there to be received either by himself or his order; and Mr. Oglethorpe on the back of these bills has directed you to issue them for the value thereof. Therefore you are to fill up the days of issuing and the person to whom, and sign the issue yourself, filling up the cheques also that you may know hereafter to whom each bill was respectively issued, for which purpose you are to keep the cheques after the bills are indented from them when issued. The Trustees desire you will send them an account by the first opportunity what demands remain unsatisfied that they may know the state of their cash and provide for answering the establishments to Lady Day 1738 by sending sufficient sola bills. And they again repeat their directions for your conforming to the rules of their establishments without making any other expense whatsoever. I have sent Mr. Eveleigh the *Daily Advertizers*, 18 June 1737-20 August 1737, which I have desired he will forward to you. I have sent you two locks

<sup>1</sup> See No. 626.

and keys fastened upon the small box to put to a chest to be made in Georgia for keeping the seal for the town-court in and the books and papers of record, which keys are to be kept by two of the magistrates. *Entry*. 1 p. [C.O. 5, 667, *fos.* 35d, 36.]

**472** Same to Samuel Eveleigh, enclosing *Daily Advertizers*, 18 June 1737–  
August 22. 20 August 1737, to be forwarded to Mr. Causton. *Entry*.  $\frac{1}{4}$  p. [C.O. 5  
Georgia Office. 667, *fo.* 36.]

**473** William Stephens to Harman Verelst, enclosing the following. Please  
August 22. impart it to my friend at Whitehall and to my son. *Signed*. 1 p.  
On *Mary Ann* in *Enclosed*,  
Studland Bay. 473. i. Journal of *Mary Ann*, 13 August–20 August 1737, Gravesend  
to Studland Bay. *Signed*, William Stephens. 1 p. [C.O. 5, 639, *fos.* 329–331.]

**474** Alured Popple to John Hamilton, sending circular queries relating to  
August 24. New Jersey. *Entry*.  $\frac{3}{4}$  p. [C.O. 5, 996, p. 400.]  
Whitehall.

**475** Same to Lieut.-Governor George Clarke, enclosing circular queries  
August 24. relating to New York. *Entry*.  $\frac{1}{2}$  p. [C.O. 5, 1126, *fo.* 34.]  
Whitehall.

**476** Minutes of meeting of Trustees for Georgia. Received, receipts from  
August 24. the bank for 10*l.* paid in by John Laroche and 10*l.*, the subscription  
Palace Court. of Hon. Edward Digby, both towards building two churches in  
Georgia and other religious uses.  $\frac{3}{4}$  p. [C.O. 5, 687, p. 38.]

**477** Council of Trade and Plantations to Duke of Newcastle, transmitting  
August 24. the following. Having lately sent you some papers on the same subject  
Whitehall. we have nothing further to add. *Signed*, Monson, R. Plumer, T.  
Pelham. 1 p. *Enclosed*,  
477. i. Memorial of John Thomlinson to Council of Trade and Plantations. *Copy*,  
of No. 478. 8 $\frac{1}{2}$  pp. [C.O. 5, 752, *fos.* 306–313d; entry of covering letter in C.O. 5,  
917, *fo.* 101d; draft of same in C.O. 5, 896, *fo.* 91, 91d.]

**478** Petition of John Thomlinson, agent for the Assembly of New Hamp-  
[August 24.] shire, to Council of Trade and Plantations, protesting against the  
proclamation of Governor Belcher of 23 May for the detection of persons concerned in  
the secretion of a packet directed to him. The packet was directed to the governor of  
New Hampshire or in his absence the lieut.-governor, to be delivered to whoever had  
the supreme command at the time. If the instructions for New Hampshire had been  
sent to Governor Belcher in Massachusetts, New Hampshire might have been left  
ignorant of H.M.'s instructions with regard to the boundary commission. Petitioner  
complains further of Governor Belcher and hopes that the Council of Trade and Planta-  
tions are truly sensible of the cruel oppression and tyranny under which New Hampshire  
has laboured and must continue to labour so long as they are governed by a native of  
Massachusetts. *Signed*. 4 $\frac{1}{2}$  pp. *Endorsed*, Recd., Read 24 August 1737. [C.O. 5, 880, *fos.*  
12–15d.]



479

August 25.  
Hampton Court.*pp.* 80-81.]

Duke of Newcastle to Lieut.-Governor William Gooch. H.M. has pardoned Mary Thornton, found guilty of murder of her bastard child. Attested copy of warrant enclosed. *Entry.* 1 *p.* [C.O. 324, 37,

480

August 31.  
Whitehall.

Alured Popple to Francis Fane enclosing 17 Acts passed in Massachusetts in 1736 for his opinion in point of law, vizt. Acts for supplying the treasury with 18,000*l.* in bills of credit of the present form and 9000*l.* in bills of credit of a new form for discharging the public debts; to prevent defacing bills of credit; for regular appointment of petty juries; for regulating porters in Boston; for providing for service of summons; for relief of poor prisoners for debt; concerning highways; for securing seasonable payment of rates; concerning admission of town-inhabitants; to prevent gaming; for preventing and punishing theft; for regulating the service of executions by sheriffs and coroners; to oblige coroners to give security for due performance of their office; for altering times of holding courts; for regulating swine; concerning killing wolves; for encouraging killing of wildcats. *Entry.* 4 *pp.* [C.O. 5, 917, *fos.* 102-104.]

481

August 31.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing the following papers. By which you will see that the Spaniards continue their depredations on H.M.'s subjects in America. *Signed,* Monson, T. Pelham, R. Plumer. 1 *p.* *Endorsed,* Copy of this and the three enclosures sent to Mr. Keene, 12 September. *Enclosed,*

481. i. Governor Mathew to Council of Trade and Plantations, St. Christopher's, 14 June 1737. *Copy,* of No. 339 i. 3 *pp.*

481. ii. Extract of letter from the same to Alured Popple, 18 July 1737. The Spaniards have begun again their depredations and cruelties within this government, from Porto Rico as by enclosed affidavit. *Copy.*  $\frac{1}{2}$  *p.*

481. iii. Affidavit of John Harris, sworn before William Mathew, 11 July 1737. *Copy,* of No. 408 i. 3 *pp.* [C.O. 152, 40, *fos.* 303-311*d*; entry of covering letter in C.O. 153, 16, *fo.* 65.]

482

[August 31]

The General Plan of Mr. Hamilton's intended settlement in South Carolina. (1) I propose to give every family, one with another, 200 acres of land in fee for ever, free for the first five or six years; after the expiration of which term they oblige themselves to render me one-fifth part of everything their land produces or in lieu thereof a certain rent not exceeding 1*s.* per acre, and to be obliged to make their option within 15 years. (2) The things I oblige the people to propagate are wine, currants and raisins, oil, coffee, cocoa, hemp, flax, wax, honey, saffron, together with all kinds of corn and cattle for provisions; and I oblige myself to furnish every family with the first species of these commodities within 12 months after their arrival in Carolina and likewise to furnish them with people skilled to instruct them, under penalty of receiving no consideration for the land I let them. (3) I oblige myself to furnish every family with a certain quantity of provisions when they arrive, which they oblige themselves to repay me in kind or the value thereof in other commodities at the expiration of two years from their arrival.

On these terms I have already agreed with about 140 families who are ready to enter into writings as soon as I am prepared so to do. And in order to make my settlement effectual and extensive I have agreed upon terms with several gentlemen who will oblige themselves to procure me as many people (such as I would have) as will be sufficient to settle twice this quantity of land in the manner and on the terms I propose.

Wherefore I can with safety oblige myself to settle this or any other tract of land H.M. will be pleased to grant me in the space of 10 years, which if I do not I submit to forfeit what I do not settle. My design is more particularly adapted to the interest of Great Britain than any settlement ever attempted in America; and still more so as I am resolved to let no one thing be manufactured by the people I settle which is manufactured in any part of Great Britain, which I conceive is the true way to make the colonies easy and happy in themselves and truly useful to their mother country. The only indulgence asked for is liberty to take up land in any convenient place where it has not already been taken up by anyone else. NB. 1000 families will settle 200,000 acres at 200 acres to each family, one with another; and if I could accommodate them I am able to bring 10,000 families to that province upon the preliminaries I have mentioned and within the space of time.  $2\frac{1}{2}$  pp. *Endorsed*, Mr. Hamilton's General Plan, received from him. Recd., Read 31 August 1737. [C.O. 5, 366, fos. 16-17d.]

**483** Gotthilf Augustus Francke to Henry Newman recommending Dr. [August 31 (O.S.)] Thielow, appointed physician to the colony of Ebenezer. *Latin. Copy.* September 11 (N.S.)  $2\frac{1}{2}$  pp. [C.O. 5, 639, fos. 407-408d.]

**484** Council of Trade and Plantations to Committee of Privy Council. September 1. We have considered the petition of Mr. Zouberbuhler pursuant to Whitehall. your order of 29 July last, wherein he prays that in view of the very great charge of his proposed settlement at New Windsor he may be allowed the reward of 2800*l.* Carolina currency. We see no reason to alter our opinion which we gave you in our report of 5 May last. *Entry. Signatories*, Monson, Thomas Pelham, Richard Plumer, R. Herbert.  $2\frac{1}{2}$  pp. [C.O. 5, 401, pp. 221-223; draft in C.O. 5, 381, fos. 248-249d.]

**485** Minutes of meeting of Trustees for Georgia. Received, a receipt from September 7. the bank for 10*l.* paid in by Rogers Holland, his subscription towards Palace Court. building two churches in Georgia and other religious uses.  $\frac{1}{2}$  p. [C.O. 5, 687, p. 39.]

**486** Benjamin Martyn to Thomas Causton. The trustees named in the trust-grant are to put the bearer, Isaac Gibs, in possession of a 50-acre lot September 7. at Abercorn. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 36.] Georgia Office.

**487** Same to Bailiffs and Recorder of Frederica. The trustees named in the trust-grant are to put the bearer, Samuel Wathey, in possession of a lot in the town of Frederica. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 36d.]

**488** Affidavit of Owen Tudor, late mariner on *Prince William*, John September 8. Kinselagh master, sworn before Richard Brocas. The said ship sailed London. from St. Christopher's 14 March last, laden with 302 hogsheads sugar, 10 pipes Madeira wine, 10 tons Braziletta wood, bound directly for London. On 24 March about 150 leagues east of the Bermudas they met two Spanish vessels, a ship of 24 guns and a sloop of 8 carriage and 8 swivel guns, which fired on and stopped the *Prince William*. Deponent, with Capt. Kinselagh and three others, went aboard the Spanish ship. Capt. Kinselagh produced his bills of lading and other papers proving his ship and cargo to belong to subjects of Great Britain. The Spaniards detained Capt. Kinselagh and searched his ship, finding a parcel of Braziletta wood. This they supposed to be Spanish and accordingly seized the ship and cargo, put 70 Spaniards aboard, and



took her to Havana. Deponent, with six other English sailors, was landed at San Domingo and thence made his way to London; while he was aboard the Spanish ship, a Dutch vessel carrying the governor of St. Eustatius was seized. *Signed*, Owen Tudor, his mark. 1 p. [C.O. 137, 56, fo. 64, 64d.]

489

September 9.  
Savannah.

John Brownfield to [Trustees for Georgia]. My illness will permit me to say but little concerning the enclosed representation. The grand jury was discharged on 2nd inst. notwithstanding they acquainted the court with their having a great deal of other necessary business to proceed upon in order to lay before the court. Mr. Causton has used many threatening speeches against several members of the said grand jury and hath endeavoured to corrupt the servants of some to confess their masters' private discourse to him. Should not those ill proceedings meet with some check from you I am afraid juries will be quite useless. The grand jury having reason to suspect that one of their members had perjured himself by revealing the secrets of the said grand jury, they did fully purpose to present the said person to this court but being discharged in manner above-mentioned they were prevented from so doing. Therefore the members of the said grand jury do intend with all possible dispatch to lay before you by a further representation these and several other matters of importance touching the peace of the king and the welfare of this colony. I shall when my illness a little more abates write to you concerning my behaviour throughout this affair. *Signed*. 1 p. *Endorsed*, Recd. 7 December 1737. [C.O. 5, 639, fos. 404-405d.]

490

September 9.  
Hampton Court.  
Duke's letter of  
September 1737.

Duke of Newcastle to Council of Trade and Plantations, directing that an instruction be prepared for Edward Trelawny, governor of Jamaica, agreeable to that prepared for Henry Cunningham according to the 12 June 1734. *Signed*. 1 p. *Endorsed*, Recd. 10 September, Read 14 September 1737. [C.O. 137, 22, fos. 137, 137d, 140, 140d.]

491

September 12.  
South Carolina.

Robert Wright to Council of Trade and Plantations. As chief justice of this province I have too often been obliged to trouble you with some proceedings which I apprehended were contrary to H.M.'s instructions, repugnant to the laws and statutes of Great Britain, and highly prejudicial to H.M.'s crown and revenues, all which I protested against before they passed into laws, which protests together with the proceedings of the general assembly have been transmitted to you; and most of those pretended laws have been since disapproved by you and repealed by H.M. This makes me with more cheerfulness presume once more to apprise you of some objections I made to the Jury Law ratified on 20 August 1731, which law (as I am informed) some members of the present assembly are pressing Mr. Fury, their agent, to lay before you for your approbation in order to be confirmed by H.M. It is but a few days since this design came to my knowledge, therefore I could not sooner nor in so regular a manner as I ought apprise you of the objections I make to that law. I apprehend the reason of their pressing for the confirmation to be that (there being several considerable tracts of land within this province which by reason of the parties being attainted or dying intestate without heirs as well as by other ways and means are become forfeited and escheated to H.M.) process was issued to the provost-marshal commanding him to summons a jury of the neighbourhood to enquire into the several facts and find an inquest of office, being the only means to entitle H.M. to the said forfeited and escheated lands; and when the jurors appeared, a member of the present assembly went to each juror and openly declared that there was no law in this province to compel jurors to serve on such inquests, and that all who should serve on

the same were enemies to their country. Should this law be confirmed, there would be some colourable pretence for their refusing to serve on such inquests for the crown, and many people would wrongfully hold large possessions which are devolved and become the rights of the crown and, by some clauses in this law contained, screen themselves from rendering any account of the same.

My objections to the first paragraph of this law are because therein it is said that the several persons therein named in the schedule thereunto annexed, and no other person whatsoever, shall be obliged to serve as jurymen; this is an infringement of the king's prerogative and contrary to law, for the king's escheator may summons a jury to take an inquest of office for the king, which power of the escheator I conceive is superseded by this law; and to limit a certain set or number of people to be jurymen, as by this clause is directed, I apprehend to be contrary to the fundamental constitution of the realm, for jurors are to be free, honest, lawful and indifferent men, without any restriction or limitation to any place, shire or county save only that they be of the vicinage and within that place, shire or county where the fact to be tried was committed and done; and though the latter part of the paragraph seems to provide a jury for an inquest of office, yet it is very deficient and impracticable and contrary to the 1st of Henry VIII, ch. 8, which directs that inquests of office are to be found by 12 free and lawful men of the neighbourhood and not by strangers; and to carry such from their habitations 100 or 200 miles is not only unreasonable and impracticable but repugnant to Magna Charta and the aforesaid statute. The 23rd paragraph likewise seems to provide for juries on special occasions and for inquests of office but clogs the method with so many formalities and delays that it can scarce be complied with, which are likewise encroachments on the crown and repugnant to the laws of Britain as is before-mentioned. I cannot conceive for what purpose this perplexed method of summoning juries could be prescribed, but to deprive or make it difficult for H.M. to recover his just rights and revenues and to make the laws and constitution of Great Britain subservient to the by-laws of Carolina.

The 28th paragraph allows the Presbyterians to make a solemn and conscientious declaration and affirmation, instead of an oath, which is contrary to law and the approved practice and usage of the courts of justice in Westminster Hall, and I apprehend contributes too much to continue and encourage divisions which otherwise might subside. The 30th paragraph empowers the governor to appoint assistant judges, which is a bold attack upon the crown and a usurpation of the king's authority and repugnant to law, it being the king's undoubted right to appoint his judges. The 43rd paragraph allows counsel to felons and a copy of their indictments three days before trial, which prolongs the sessions and makes the attendance of juries and others very burthensome and expensive and encourages roguery in hopes that some flaw may be found in the indictment or other proceedings. This clause might be well intended, but is contrary to law and has hitherto proved inconvenient. It is probable when Mr. Fury, the Carolina agent, lays the law before you, many other objections may be made, but I conceive those I have mentioned relating to the crown and the revenues thereof may be sufficient to postpone its confirmation till some amendments are made thereto conformable to the laws and statutes of Great Britain, which will preserve both the rights of the king and of all his subjects. *Signed.* 1½ pp. *Endorsed,* Recd. 28 November, Read 1 December 1737. [C.O. 5, 366, fols. 22-23d.]

492  
September 14.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing draft of general instructions and instructions relating to the Acts of Trade and Navigation for Edward Trelawny, governor of Jamaica,



with representation thereon. *Entry. Signatories*, Monson, T. Pelham, James Brudenell, R. Plumer. 1 p. *Enclosed*,

492. i. Same to the King. In the draft instructions we have made no alterations or omissions from the general instructions given to other governors except in the following articles. In the first article we have inserted the names of the twelve councillors; but Edward Charlton, Henry Dawkins, William Gordon and Temple Lawes, upon a disagreement with President Gregory, have withdrawn from the council. When we had this affair under consideration we reported to the Committee of the Privy Council that we thought them persons not proper to be continued councillors. We submit it to you whether the said four gentlemen be continued or whether others should be appointed in their room. The 28th article forbidding the governor to pass any act which shall restrain the officers of your forces from recruiting their companies in that island, and the 30th, 31st and 32nd articles relating to the better peopling the island by encouraging white people to go and settle thereon which were given to Mr. Cunningham as additional instructions are here made part of the general instructions. We have likewise inserted the 84th and 85th articles relating to laying duties on negroes which were given to Mr. Cunningham because it has been represented to us that the same exigencies which induced you then to give it subsist still, and that unless this duty be continued the island will be in the greatest distress. We have united the 28th and 29th articles of Mr. Cunningham's instructions relating to subsisting your eight independent companies now there and made one general article of them. We have also inserted the 34th instruction empowering Mr. Trelawny to receive an additional salary in the same words it was given to Mr. Cunningham pursuant to your orders signified to us by the Duke of Newcastle's letter of 9th inst. The Commissioners of Customs having proposed that an instruction should be given to your governors in America for the better securing the duties on foreign sugar, molasses etc. in the Plantations, we have inserted the 13th article for that purpose in the draft of Mr. Trelawny's instructions which relate to the Acts of Trade and Navigation. *Entry. Signatories*, as covering letter. 4½ pp.

492. ii. Draft of instructions for Edward Trelawny, governor of Jamaica. *Entry*. 134 pp. [C.O. 138, 18, pp. 129-268; original of covering letter in C.O. 137, 48, fos. 27-29d.]

#### 493

September 14.  
Whitehall.

Same, to Committee of Privy Council. Pursuant to your orders of 8 December 1736 and 4 February last, we have considered the petition of the council and assembly of South Carolina [*Cal. S.P. Col.*, 1735-36, No. 483 i.] and the petition of the Trustees of Georgia complaining against the lieutenant-governor, council and assembly of South Carolina for opposing the execution of an Act for maintaining the peace with the Indians in Georgia.

Upon this occasion, having been attended by the agent for South Carolina and several of the Trustees for Georgia and heard counsel as well for and against the petition of South Carolina as for and against the petition of Georgia, we acquaint you that the counsel for Carolina in support of their petition insisted that they and all H.M.'s subjects had a right to trade with all Indians in amity with the crown of Great Britain, that there was a law then in force in Carolina by which all persons going from that province to trade with the Indians were obliged in order to preserve the peace with them to take licences and give security for observing certain rules laid down for regulating the said trade. They likewise insisted that the navigation of the river Savannah ought to be free to all H.M.'s subjects and then produced affidavits to show that several persons who

were regularly licenced in Carolina to trade with the Indians had been disturbed in their trade and driven by force from the places where they were trading, and some had their goods seized under pretence that they were within the province of Georgia and were not to trade there without taking out licences at New Savannah in Georgia from the commissioners appointed for that purpose. They likewise gave evidence that some rum has been seized and staved on board a vessel at New Savannah town in Georgia that stopped, as they alleged, only to deliver letters and was proceeding up the river to Old Savannah town in Carolina; and that a boat had been obliged to bring to as it was passing up the Savannah river on pretence that it was importing rum into Georgia contrary to the laws of that province.

In answer to which the counsel for Georgia insisted that by virtue of the aforementioned Georgia Act no persons whatsoever were to trade with the Indians within the province of Georgia without first taking out a licence at Savannah in Georgia; and that by virtue of another Act passed by the Georgia Trustees and confirmed by H.M. to prevent importation of rum and brandies, no person was to import rum into the said province. They then proceeded to examine some witnesses and read some affidavits to prove that some of the places (mentioned by the counsel on the other side) from whence the traders of Carolina had been removed were within the limits of Georgia between the rivers Savannah and Altamaha, the north and south boundaries thereof, as described in their charter. They likewise produced other evidence to show that some of the said places were on the south side of the Savannah river and they concluded from thence that they were in the province of Georgia, at least if they were not it would be incumbent on the complainants to prove the contrary. They admitted that rum had been seized at New Savannah and likewise insisted that they had a right to stop all vessels going on the south side of Hutchinson's Island in the river of Savannah to search for rum, it being in the province of Georgia and therefore liable to be seized by virtue of the aforesaid Act.

We observe that the trade that is carried on with the Indians is of great importance and advantage to H.M.'s subjects, that the trade has increased annually since Carolina has been in H.M.'s hands, that it is of great consequence to all H.M.'s settlements in those parts to preserve the friendship of the Indians; and therefore it is with concern we see these disputes between H.M.'s subjects, and unless care be taken to quiet them we fear they may endanger the loss of this trade and the French or Spaniards may thereby gain the Indians into their interest, for laws made in either of these provinces cannot bind the Indians and if they are put under difficulties in obtaining such European goods as they have occasion for from H.M.'s subjects they will easily be tempted to trade with the French or Spaniards. We are of opinion that this trade with these Indians should be free to all H.M.'s subjects and that, if the Act passed in Georgia for maintaining the peace with the Indians is to be taken in the strict sense that is put upon it, it may be highly prejudicial to the trade of Great Britain and be attended with inconveniences which we think could not be intended at the time of passing the same; and instead of being an Act for regulating their trade it may give them an exclusive trade and be of dangerous consequence. And to show you what the opinion of this board was on a case of a like nature we annex a copy of a representation to the late queen, dated 6 September 1709, relating to the seizure of goods in Carolina belonging to some Indian traders of Virginia; and we must observe that as yet the heads of the rivers that are given for the boundaries of Georgia are unknown and no western lines can therefore be settled. It is likewise certain great part of the Indians lie on the south side of the Altamaha river, the most southern bound of Georgia, and are still within the province of Carolina which extends southward to 29 degrees north; so that were H.M.'s subjects residing in



Carolina obliged to go to New Savannah in Georgia to take out a licence under that government for leave to trade not only with the Indians that are said to be in Georgia but also for crossing one part of H.M.'s dominions to trade with the Indians actually within the province of Carolina, it would be a hardship could not possibly be intended by that Act and yet we find it is expected that every person that goes to the southward of the Savannah should take a licence agreeable to the Act of Georgia.

If that rule is to take place there will be no obligation on the government of Georgia to grant licences to any persons they please to object to and then the inconveniences may soon happen which are mentioned in the former report to which we refer. For which reasons we are of opinion that all H.M.'s subjects in Carolina as well as in Georgia should be at liberty to trade with all Indians in amity with the crown of Great Britain and that those traders which go from Carolina should take their licences at Charleston and give the security there agreeable to the law of that province and those traders that go from Georgia should take their licences at New Savannah and give the security there agreeable to the law of that province. As to the navigation of the river Savannah we think that the northern branch of it ought to be free and no vessels should be stopped going up either side of Hutchinson's Island (a little island in the said northern branch opposite to New Savannah) on account of having rum on board unless offering to trade at any of the settlements in Georgia. For with respect to the Indians we are apprehensive that if we do not supply them with rum they will get it from the French. With respect to the complaint of the ordinance passed in Carolina, we do not find that it is against law or against the governor's instructions or goes further than a resolution to raise a sum of money to indemnify the traders who took out licences there in case they should suffer for acting under those licences whilst this dispute was depending. Nor do we find that Thomas Wright, the person mentioned in the complaint of the Georgia Trustees, was a transported felon or that he was employed to animate the Indians in Georgia against H.M.'s subjects. *Entry. Signatories*, Monson, T. Pelham, James Brudenell, R. Plumer. 10 pp. [C.O. 5, 401, pp. 224-233; draft in C.O. 5, 381, fols. 250-255d.]

494

Governor William Mathew to Alured Popple. I have delivered to  
 September 14. Capt. Main an Act of Montserrat appointing John Yeamans agent for  
 St. Christopher's. that island. In the same box I have put an affidavit of Mr. Attorney-General here relating to Mr. Wavell Smith's complaints against me, which I had not in time to transmit to Mr. Yeamans with other papers for my justification. I pray you give him this. *Signed*. 1 small p. *Endorsed*, Recd. 8 December 1737, Read 15 February 1737/8, *Annotated*, N.B. That affidavit was delivered to Mr. Yeamans by Mr. Popple. [C.O. 152, 23, fols. 73, 73d, 76, 76d.]

495

Commission to John Stewart to be lieut.-governor of Jamaica. *Entry*.  
 September 15. 1½ pp. [C.O. 324, 37, pp. 78-79; another entry in C.O. 324, 50, p. 142.]  
 Hampton Court.

496

Governor Jonathan Belcher to Council of Trade and Plantations  
 September 17. acknowledging H.M.'s additional instruction of 30 April last respecting  
 Boston. issue of bills of credit. By which I find that the emissions made here in 1733 and 1734 seem to have been represented as so much issued for those years only; whereas it will be found on examination that no bills were emitted from December 1731 till October 1733, and then was issued 76,500*l.* to extend to May following (being 2 years and 4 months), the assembly contending all that time as to the way and manner of supplying the treasury, so the debts of the province kept increasing, for it was

necessary the government should be supported by money or credit, and the longer before the debts were paid off the larger must the sum be when it was done; and this made the emission in 1733 about 60,000*l.* more than it would have otherwise been just at that time. And yet the emission upon the whole was not an exceeding of H.M.'s 16th. instruction which allows 30,000*l.* a year to be issued for the annual support and service of the government. As to the bills of credit that were issued in the government before I came into it, they have been mostly called in and sunk according to the several periods and provisions of the respective Acts by which they were issued, and what are not have been lately specially ordered so to be by the whole legislature by prosecutions in the law. I say they are of course sunk when they are paid into the treasury and the reissuing any bills is just the same with making new ones, and if at any time there lie old bills with the treasurer that are not too much defaced or worn to pass again by their reissuing it saves the government the charge of new paper, new stamping and new signing (which is considerable) and the bills answer the end as well as so many new ones: nor is the emission one shilling the more when old bills are reissued than if new ones were made every time the treasury is supplied. I therefore cannot apprehend, with deference to you, that I have made any infraction on H.M.'s 18th instruction. I shall strictly conform to the additional instruction by not issuing more than 30,000*l.* for the annual support of the government. Nor shall I continue any bills current beyond the time limited by the Acts for emitting them without a suspending clause to wait H.M.'s pleasure therein. And as the assembly for about a year past have got into a method of emitting bills of a much better value than heretofore, I hope the charge of the government will be fully comprised in the annual sum of 30,000*l.* *Signed.* 6½ small *pp.* *Endorsed,* Recd., Read 16 November 1737. *Enclosed,*

496. i. Abstract of above, with comment: 'He gives no account of the real state of the bills so that we are kept entirely in the dark here and can have no judgement of their quantity or current value but by the exchange they bear at present'. *Unsigned.* 2 *pp.* [C.O. 5, 880, *fos.* 73-78*d.*]

497                    Same, to Duke of Newcastle. [*In substance same as No. 496.*] *Signed.*  
September 17.        7 small *pp.* *Endorsed,* Recd. 30 October. [C.O. 5, 899, *fos.* 274-277*d.*;  
Boston.                duplicate, endorsed, Recd. 6 November, in C.O. 5, 752, *fos.* 314-317*d.*]

498                    Harman Verelst to Thomas Causton by *Three Sisters*, Capt. Hewitt.  
September 17.        Several German families having indented themselves at Cowes as  
Georgia Office.        servants to the Trustees, Capt. Dunbar who went down on that  
occasion will enclose you the indenture which they all sign and a list of each family and the heads contained therein. These families are to be delivered at Tybee by the *Three Sisters*, Capt. Hewitt, who will send you notice of his arrival that you may go and receive them in such craft as is proper to bring them from thence to Savannah. You are to call over the families by the list computing the number of heads the whole amount to, and then you will find if they are all arrived or if any shall have died at sea. Those that arrive and are delivered to you are the heads the Trustees are to pay for and you are to give the captain a receipt for the number of heads you receive. If the passengers have no just complaints against the captain in the voyage, the Trustees would have you be very civil to him whereby he may be encouraged and like to bring passengers for Georgia. And you are to be very kind to these German families, to get dry lodgings for them, to furnish them with such pots as shall be necessary, and to let each family be kept together, and let them have the liberty of working for themselves on Saturdays; and what baggage or necessities they have belonging to them are to remain their own. If there are two



families in which there are four or five young men, you are to send them to Capt. Gascoigne to serve him, and the rest are to be employed in going on with the farm for the Trust under Mr. Bradley's directions if he is in the colony and in health so as to be willing to take the charge upon him. But if not, then Henry Parker, the third bailiff, is to oversee them and they must be employed for the Trustees' service in clearing and cultivating some of their farms until Mr. Oglethorpe's arrival. Each head of these German families is to be supplied with 5 lbs. of meat,  $\frac{1}{2}$  lb. of butter and 6 lbs. of bread kind of Indian corn, rice and flour a week; and you are to take care that their victuals are regularly given them and that neither they nor any other of the inhabitants of Georgia have any disobliging behaviour shown to them to make them uneasy.

The Trustees have heard that Camuse's family are at Charleston, and if it is true they desire to know the reason of their going from Georgia. They have also heard that there is a scarcity of provisions at the southward which they are surprised at by reason of the orders you have had for supplying them from Mr. Oglethorpe and by the Trustees' letters; and they again repeat their directions that they should be supplied according to those orders and to be sure that you do not let them want bread kinds at the Darien nor anywhere else to the southward. If Indian corn is not to be had at a reasonable price, rice which is the product of Carolina sure cannot be wanting now the harvest is coming in. And as great quantities of provisions have been bought, how came the southward settlers not to have their full supply? The Trustees are sending the *Georgia* pink, Capt. Daubuz, this month to Ireland for a cargo of beef and butter, and they have shipped 60 barrels of beer and 20 casks of flour on board the said ship here. They have sent you in a small box by this ship 100 sola bills of 1*l.* each, A. 1501-1600, towards defraying the expense of these German families and they will send 400*l.* more by the *Minerva*, Capt. Nicholson. *Entry.* PS. Capt. Hewitt will deliver you what provisions he can spare and you want, on your receipt. The Trustees again repeat in relation to the Moravians taking up arms that they think you should only have called upon them for two men, that is to say, one for each lot of Mr. Spangenberg's and Mr. Nitschman's, and on their sending two men, whether Moravians or others provided they are not servants, it will be a discharge of them from that duty. 2 pp. [C.O. 5, 667, fos. 36d-37d.]

## 499

Instructions by Trustees for Georgia to Capt. George Dunbar relating September 17. to German passengers on the *Three Sisters*, Capt. Hewitt. If 90 or 100 heads of the German families will bind themselves to the Trustees you are to engage so many, but not more than 100 nor less than 90. You are to have three originals of their agreement written and to make a list of each family. Every person of 14 years is computed a whole head; 4-14 half; under 4 not computed. Capt. Hewitt is to land at Tybee, send the small box and letters to Mr. Causton and take his receipt both for the passengers and for any provisions that can be spared. *Entry.* 1 p. [C.O. 5, 670, p. 371.]

## 500

Minutes of meeting of Trustees for Georgia. Received of Henry September 21. Newman, 10*l.* benefaction of a clergyman in the deanery of Stow, Palace Court. Gloucestershire, towards building a church at Savannah. Received of Thomas Tower, 10*l.* his subscription towards building two churches in Georgia and other religious uses.  $\frac{1}{2}$  p. [C.O. 5, 687, p. 40.]

## 501

Council of Trade and Plantations to Duke of Newcastle enclosing September 21. extract from Lieut.-Governor Armstrong's letter of 8 July last wherein Whitehall. he desires H.M.'s directions on the subject of a boy of ten years who set fire to a house there, together with copies of relevant papers. There being no power

given to the governor of Nova Scotia to grant commissions of oyer and terminer, the governor cannot take any step with regard to this boy before you transmit to him H.M.'s directions. *Signed*, Monson, T. Pelham, R. Plumer. 1 p. *Enclosed*,

501. i. Abstract of minutes of council of Nova Scotia held at Annapolis Royal, 20 April 1737. *Copy*, of No. 387 ii. 7 pp. [C.O. 217, 31, fos. 119-124d, 134-135d; entry of covering letter in C.O. 218, 2, pp. 342-3.]

## 502

September 21.  
Whitehall.

Alured Popple to John Hamilton. The Council of Trade and Plantations have considered your petition for land in South Carolina and are of opinion your propositions are too general. Until they are better satisfied that your proposals will be carried into execution they cannot think of recommending your petition. *Entry*. 1 p. [C.O. 5, 401, p. 234.]

## 503

September 21.  
Falkland, St. Johns,  
Newfoundland.

Captain Fitzroy Henry Lee to Council of Trade and Plantations. The time of my sailing from Newfoundland being near, I have herewith enclosed for your information the scheme of the fishery for this year collected in the several harbours in the best manner I am able by myself and the commanders of H.M.'s other two ships of war employed with me on that station.<sup>1</sup> The fishery for this year, being in a manner ended, has been carried on very quietly and orderly. Enclosed also is a general remain of the stores in garrison at Placentia together with last year's expense signed by the proper officers and a return of Capt. Gledhill's company in the said garrison as he has transmitted it to me.

I have, pursuant to the 7th article of H.M.'s instructions to me, made seizure this year of a small vessel importing some wine, oil and brandy from Lisbon to this port contrary to the intent and meaning of the Act of Parliament of 15 Car. II, and I hope by the Court of Admiralty now established here there will be a stop to the clandestine trade which has been very much carried on in these parts. I have this year no other observations to the several queries of H.M.'s instructions than what I have already transmitted to you the two last years. I shall only mention one thing, that as there has been and may be hereafter some disputes between the officers of the garrison of Placentia and the justices of the peace of the said town in the absence of the men-of-war I believe it would be for H.M.'s service that his pleasure was more fully signified how far the said officers and justices are to interfere with each other. *Signed*. 1 p. *Endorsed*, Recd. 9 January, Read 12 January 1737/8. *Enclosed*,

503. i. Bonds dated August 1737 by the following: Solomon Lombard, Henry Atkins, Bartholomew Penrose, Solomon Davis, John Gorham, Daniel Gorham, Elisha Mayo, Henry Atkins, Obediah Hussey, Silvanus Allin, Bethnal Gardner, Thomas Howes, Reuben Kiley, not to carry men from Newfoundland but those belonging to their own vessels. *Endorsed*, as covering letter. 9 pp.

503. ii. Return of Capt. Joseph Gledhill's company of foot at Fort Frederick, Placentia, 5 August 1737: 3 officers, 2 sergeants, 2 corporals, 1 drummer, 27 privates, 4 recruits not yet arrived. Total: 36. *Signed*, Joseph Gledhill. 1 p. *Endorsed*, as covering letter.

503. iii. Account of stores expended at the garrison of Placentia, 1 August 1736-1 August 1737. *Signed*, Daniel Campbell, Robert Bradford, Abraham Lake. 1 p. *Endorsed*, as covering letter.

503. iv. Account of powder etc. expended at same in same period. *Signed*, Joseph Gledhill, Henry Cope. 11 pp. *Endorsed*, as covering letter.

<sup>1</sup> This document has not been found.



503. v. Remain of ordnance and stores under charge of William Sanderson, storekeeper, at Placentia, 1 August 1737. 10½ pp. *Endorsed*, as covering letter. [C.O. 194, 10, fos. 53-54d, 56-84d.]

## 504

September 23.  
Georgia Office.

Benjamin Martyn to Count of Zinzendorff. The Trustees for Georgia have received your letter of 19 August from Herrenhut, occasioned by complaints sent from your domestics in Georgia. Enclosed is an extract from orders sent to Georgia some time before receipt of your letter, whereby it will appear that it never was in the intention of the Trustees that the Moravian Brethren should be obliged to bear arms for it is a fundamental maxim with them to preserve the rights of conscience inviolable within their jurisdiction. Only one man is required for each lot who may be any person fit to bear arms provided he is not a servant. As the Trustees look upon themselves as obliged to defend the province, so they will never attempt to deprive anyone of the liberty of withdrawing from or continuing in it. The colony being under an apprehension of a Spanish invasion, the people were put under arms; the Moravians were required to appear in arms; they justly replied that they were not freeholders but your servants. The Trustees hope that since they have given directions to their officers there will be no occasion of complaint for the future. The privilege of going among the Indians was allowed your people out of regard to you; if they cease to be inhabitants there, it cannot be continued. Upon the whole the Trustees hope that their directions are agreeable to their conversation with you. If you have altered your mind so as not to admit of the freeholder's duty to be done for the two lots (which may be done by any two persons, though they are not Moravians, provided they are freeholders) the Trustees will give your people leave to depart. *Entry*, 1½ pp. [C.O. 5, 667, fos. 37d, 38.]

## 505

September 24.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations. The commissioners for settling the boundaries of Massachusetts and New Hampshire met at Hampton, New Hampshire, on 1 August; and after opening their commission adjourned to the 8th of that month, and from thence sat on the affair from time to time till they made out their judgement on 2nd inst. And as I now send you the journal of the house of representatives of Massachusetts, you will there find the specific demands of Massachusetts and New Hampshire, the judgement of H.M.'s commissioners, the resolution of Massachusetts to appeal from the judgement. The assemblies sat at Salisbury and Hampton about five miles from each other; they are to meet again 13th of next month. The commissioners, according to their adjournment, will be at Hampton on 14th when either party will have opportunity to enter their appeal if they finally so determine. *Signed*. 3½ small pp. *Endorsed*, Recd., Read 16 November 1737. [C.O. 5, 880, fos. 79-81d.]

## 506

September 24.  
Boston.

Same, to Duke of Newcastle. [*In substance, same as No. 505.*] *Signed*. 4 small pp. *Endorsed*, Recd. 16 December. [C.O. 5, 899, fos. 278-279d.]

## 507

September 25.  
Hampton Court.

Duke of Newcastle to Council of Trade and Plantations. H.M. having appointed William Anne, Earl of Albemarle, to be Governor of Virginia, you are to prepare drafts of a commission and instructions. *Signed*, Holles Newcastle. ½ p. *Endorsed*, Recd. 27 September, Read 28 September 1737. [C.O. 5, 1324, fos. 63, 63d, 68, 68d.]

- 508** Council of Trade and Plantations to Duke of Newcastle, transmitting  
 September 28. draft of commission for Earl of Albemarle to be governor of Virginia,  
 Whitehall. with representation thereon, to be laid before H.M. *Entry. Signatories,*  
 Monson, T. Pelham, R. Plumer, James Brudenell.  $\frac{1}{2}$  p. *Enclosed,*  
 508. i. Same to the King transmitting the said commission. We are preparing the  
 necessary instructions. *Entry. Signatories,* as covering letter. 1 p.  
 508. ii. Draft of the commission. *Entry.* 19 pp. [C.O. 5, 1366, pp. 147-168; original  
 of covering letter in C.O. 5, 1344, fos. 37-38d.]
- 509** Minutes of meeting of Trustees for Georgia. Received, a bank sola  
 September 28. bill of exchange at three days' sight for 50*l.* from the Earl of Derby by  
 Palace Court. Robert Whittle for the late Earl of Derby's last payment for encourag-  
 ing botany and agriculture in Georgia. Received from the bank, receipts for 10*l.* paid in  
 by Henry Newman and 10*l.* paid in by Thomas Tower. [See No. 500.] 1 p. [C.O. 5, 687,  
 p. 41.]
- 510** Alured Popple to Lieut.-Governor Thomas Broughton, transmitting  
 September 30. copy of opinion of Attorney- and Solicitor-General on two queries  
 Whitehall. relating to the validity of some laws passed in Carolina between the  
 surrender of the charter and the arrival of Col. Johnson. *Entry.* 1 p. [C.O. 5, 401, p. 235.]
- 511** Same, to Governor Gabriel Johnston, enclosing copy of opinion of  
 September 30. Attorney- and Solicitor-General on two queries relating to validity of  
 Whitehall. some laws passed in Carolina between the surrender of the charter by  
 the Lords Proprietors and the arrival of Capt. Burrington, late governor. *Entry.* 1 p.  
 [C.O. 5, 323, fo. 131.]
- 512** Harman Verelst to Rev. Mr. Zeigenhagen, German Chaplain to H.M.  
 October 3. at Kensington. The Trustees will defray the charge of passage and  
 Georgia Office. bedding for Mr. Thielow who is going to the Salzburghers to assist  
 them in his profession. They will also subsist him with provisions for three years, in  
 consideration whereof they hope he will assist all other settlers in the neighbourhood  
 of Ebenezer that may want his help. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 38d.]
- 513** Minutes of Common Council of Georgia. Approved report from com-  
 October 5. mittee that Peter Gordon should be paid 13*l.* 7*s.* 1*d.* for arrears of one  
 Palace Court. year's provisions for himself and his wife while in Georgia and have  
 leave to dispose of his house and land to such person as should be approved by the  
 Trustees. The accountant acquainted the Common Council that a draft had been made  
 on the Bank of England for 1000*l.* 21 September 1737 to Ald. Heathcote; and that the  
 433*l.* imprest to James Oglethorpe to answer the like sum in the payment of sola bills  
 paid away by Mr. Causton as cash received of Mr. Oglethorpe, part of the 1500*l.* sola  
 bills paid away without Mr. Oglethorpe's endorsement, has been applied in discharge  
 of the said sola bills to that amount. Ordered, that 1500*l.* of the 4850*l.* sola bills directed  
 to be made out 10 August last be immediately sent to Georgia, any five of the Common  
 Council to draw for their payment on return. Ordered, that the residue of the sola bills



directed to be made out for the service of the colony be sent to Georgia from time to time as any five of the Common Council shall think fit, and any five of the Common Council may draw on the Bank of England for payment thereof on their return.

The accountant made the following report of the state of the Trustees' cash as it stood 30 September last. The sola bills ordered to be made out and yet unsent to Georgia will provide for an exceeding of the established allowance to Lady Day 1738 as far as 700*l.*, and after appropriating money for all the sola bills sent and to be sent and for all particular uses besides, the balance in the bank for the colony this 30 September 1737 amounts to 5977*l.* 6*s.* 0 $\frac{3}{4}$ *d.*, and in Ald. Heathcote's hands, 1452*l.* 6*s.* 7*d.* Total to be applied for the colony: 7429*l.* 12*s.* 7 $\frac{3}{4}$ *d.* Outstanding demands [*particulars given*]: 5426*l.* 16*s.* 8*d.* Balance remaining, 2002*l.* 15*s.* 11 $\frac{3}{4}$ *d.* whereout the expense of the Carolina and Georgia disputes must be defrayed whereof 100*l.* has been paid.

Resolved, that any five of the Common Council be empowered to draw on the Bank of England for any sum not exceeding 4000*l.* as occasion shall require for payment of provisions from England and Scotland, servants from Cowes, and other charges in pursuance of the orders of the committee for providing necessaries for this year's service in Georgia. Ordered, that 12*l.* be repaid to John Venables which he paid in 15 February last for subsistence of his son then going to Georgia, he staying only four days in Georgia and being now returned to England. Ordered, that 15 barrels of herrings from Scotland, each barrel containing 1000, at 16*s.* each barrel be bought and sent to Georgia.

Sealed grant of 500 acres of land to Robert Hay late of Edinburgh, cooper, recommended by Patrick Lindesay, Provost of Edinburgh; and grant of 150 acres of land to John Amory of Boston, Lincolnshire, yeoman; secretary to countersign, memorials to be registered with auditor of plantations. Ordered, that 1*l.* 11*s.* 6*d.* consideration money and charge of registering Mr. Hay's grant be paid by the accountant to be repaid by Mr. Hay in Georgia on executing the counterpart and receiving the grant.

Mr. Oglethorpe acquainted the Common Council that in pursuance of the Trustees' memorial to H.M. dated 10 August 1737 [*see* No. 443] H.M. had ordered a regiment of 600 effective men to be raised for the defence of the colony and to be sent thither, and that H.M. had appointed him colonel, James Cochran lieut.-colonel and William Cook major of the said regiment. Resolved, that grants of 500 acres of land to Lieut.-Col. Cochran and 500 acres of land to Major Cook be made and sealed; secretary to countersign and sign memorials to be registered with the auditor of the plantations. Mr. Oglethorpe moved that a trust grant might be ordered to be made out for 3000 acres of land to be parcelled out in five-acre lots to the soldiers of his regiment during their continuance in H.M.'s service in Georgia. Ordered, that a grant be made out accordingly for 3000 acres of land to three trustees who shall be named by Mr. Oglethorpe; seal to be affixed, secretary to countersign.

Ordered, that a copper gilt mace be provided for the court of the town of Savannah. Ordered, that a bill of exchange drawn by Mr. Causton 18 May 1737 on Mr. Oglethorpe for 50*l.* be accepted and paid, it being part of recompense to him for his four years and upwards as storekeeper and magistrate and part of 200*l.* to enable him to settle his new farm. Resolved, that the memorial of John Vat for further recompense be rejected. Ordered, that an indenture to Samuel Landers be sealed; secretary to countersign. Read, letter from Rev. Charles Wesley desiring his salary for last year; ordered, that 50*l.* be paid him as missionary and for a year's salary due Michaelmas last. Certified accounts were laid before the board as follows: Robert Perryman's for 132*l.* 5*s.* 4*d.* for steers and cows; Samuel Montaignut & Co.'s for 173*l.* 18*s.* 5*d.* for necessaries; Messrs. Pitt & Tuckwell's for 223*l.* 9*s.* 8 $\frac{1}{4}$ *d.* for tools and necessaries delivered by John Brownfield,

their factor; Robert Williams & Co.'s for 96*l.* 3*s.* 3½*d.* for provisions and necessities. Accounts were laid before the board as follows: for 49*l.* 18*s.* 6*d.* for flour and beer which Capt. Dymond delivered to Mr. Causton 24 June 1737; for 16*l.* 13*s.* 1½*d.* for molasses delivered by John Crokatt in Georgia by Mr. Oglethorpe's order. Ordered, that the said accounts be paid.

Resolved, that 75*l.* be paid to Ald. Heathcote on account; signed a draft on Bank of England for the same. Read, petition of John and Sarah Amory for a credit of 50*l.* in Georgia; resolved, to give the same on proper security for payment out of their estate in Lincolnshire. 11 *pp.* [C.O. 5, 690, *pp.* 102-112.]

**514** Minutes of meeting of Trustees for Georgia. Received from the bank  
October 5. a receipt for 50*l.* paid in by Robert Whittle. [See No. 509.] ½ *p.* [C.O. 5,  
Palace Court. 687, *p.* 42.]

**515** Grant by Trustees for Georgia to John Amory of Boston, Lincs.,  
October 5. yeoman, of 150 acres of land in Georgia. *Entry.* ¼ *p.* [C.O. 5, 670, *p.* 331.]

**516** Same, to Robert Hay late of Edinburgh and now of Georgia, cooper,  
October 5. of 500 acres of land in Georgia. *Entry.* ¼ *p.* [C.O. 5, 670, *p.* 331.]

**517** Richard Coope to Andrew Stone. I am ready with all the vouchers  
October 5. which may be necessary in Mr. Mathew's case except a few in the hands  
Cockpit. of Mr. Yeamans who comes to town the middle of this month. *Signed.*

PS. I beg your perusal of the enclosed extract of minutes of council at St. Christopher's to convince of the sentiments thereof in 1729, but more particularly to evince that Mr. W. Smith (who has been too free in representing Mr. Mathew as acting upon his own head) was early of a contrary opinion himself. 1 *p.* *Enclosed,*

517. i. Extract from minutes of Council of St. Christopher's, 19 December 1729. Present, President Joseph Estridge, Sir Charles Payne, Wavell Smith, John Douglas, Abraham Payne, Joseph Phipps. The Council declared on the facts before them that the French had been guilty of unwarrantable violence on H.M.'s subjects, that the French were not justified in seizing Col. Phipps's sloop, that the French carrying the said sloop to St. Domingue was an injurious proceeding and that the burning of two sloops of the Island of Santa Cruz, an uninhabited place, was contrary to the law of nations and treaties. *Copy,* certified by Mansell Frank, Deputy Secretary. 1½ *pp.* [C.O. 152, 44, *fos.* 122-125*d.*]

**518** Council of Trade and Plantations to Duke of Newcastle transmitting  
October 5. copy of deposition of master and company of *St. James* of Bristol  
Whitehall. relating to the taking, plundering and detaining of that ship by the Spaniards, received from President Gregory of Jamaica. *Entry. Signatories,* James Brudenell, R. Plumer, Monson, T. Pelham. ½ *p.* [C.O. 138, 18, *p.* 268.]

**519** Governor Gabriel Johnston to Alured Popple. It is impossible to go  
October 6. on with public business until the fate of the blank patents is determined.  
Cape Fear. I dare not give up so much of the only revenue the king has here and the fund from whence the officers' salaries are paid, without orders or at least a permission from home. If the Attorney's opinion should not come these seven years (this



is now the third year that it has been lying before him and the fifth year that the other question relating to our laws) all our affairs must remain in suspense till then.

I would thank you heartily for the copy of Mr. Burrington's answer if I had not seen it in print above 16 months ago when it was dispersed through the province as a masterpiece infinitely esteemed by the Board of Trade and by them referred to the Attorney-General; which last I never did believe until you informed me of it. I am sure that paper with some others sent over by the said person have done a vast deal of mischief and emboldened the lower house of assembly to order the officers who were collecting the quitrents into custody during the time of collection, for which attempt I was obliged to dissolve them as I wrote you from Newbern last March. Mr. Burrington holds upwards of 50,000 acres of land by these patents and, by what I can find since my arrival here, never gave himself the trouble to consider the validity of them or anything else relating to the revenue. I have no remarks to make upon his paper for I don't find anything in it which invalidates any proposition advanced in my representation. There are indeed some low jokes and personal reflections scattered up and down but as I find that gentleman has upon another occasion made at least equally free with the Lords of Trade themselves I think I have no occasion to complain.

The only thing I shall take notice of in Mr. Burrington's paper is of the patents which were issued for the payment of those gentlemen who run the boundary line betwixt this province and Virginia. The lands claimed by these patents do not in all amount to 100,000 acres, but upon this pretence there have been patents sold for upwards of 400,000 acres and every day's experience convinces me that some people have still a good stock of them in their custody which they can fill up as they please and lay upon anybody's land they think proper, which I am afraid will be a fresh occasion of perpetuating the disorders of this unhappy country if they are confirmed. Though my opinion does not seem to be much approved by their lordships, I can't help proposing one expedient more which appears to me exceedingly fair, and that is to allow all those patents which were issued for payment of the charges in running the line, amounting to betwixt 90 and 100,000 acres at the rents reserved in the said patents, and the attorney-general here have orders to vacate all those I proposed to be declared null and void in my letter of last November in H.M.'s Court of Exchequer. By this there will be no occasion to trouble H.M. in Council, the revenue will not suffer a great deal, and everyone who possesses these patents will have a fair opportunity of defending them or, if they please to resign them, they may hold the same lands at 4s. per 100 acres. If this won't do I despair of being able to offer anything which will less hurt the crown and at the same time be favourable to these people; and I think it may be put in execution without waiting for any opinion of the Attorney-General, there not being the least pretence for issuing any other patents before H.M.'s purchase. Upon the whole all I beg is only directions about this troublesome affair, which I shall most punctually obey.

I look on that part of your answer relating to quitrents as an absolute prohibition to receive them in any commodities, and shall observe it accordingly. What has been already paid of the arrears was received mostly in current bills of this province at the exchange of 7 for 1 sterling money, though indeed in Virginia and other places where they trade they pass generally at 9 or 10 for 1; but as there was a great arrear due it was thought proper for the ease of the people to take it at 7, which was a great loss to me and all the officers whose salaries are paid out of the quitrents. For with 7 $\frac{1}{2}$ . currency which we received for 1 $\frac{1}{2}$ . sterling we cannot purchase goods to the value of 14s. sterling. But we cheerfully submitted to this loss (about 30 per cent. of our salaries) in order to reconcile the people to the payment of their rents, a thing quite new to them by the negligence of former governors. By the law which establishes the currency these bills

were ordered to pass, as they pretend, at 5 to 1 sterling; but as they have in reality always passed at 10 and it was a favour to receive H.M.'s rents in current bills at all, we declared we would not receive them at less than 7 for 1, and as their value is not advanced I am of opinion it will be necessary to fix the exchange higher for the future.

At last general court at Edenton a man was imprisoned for insulting the marshal in the execution of his office during the sitting of the court. The people of the precincts of Bertie and Edgecombe which lie next Virginia, believing he was called in question about his quitrents, rose in arms to the number of 500 and came within five miles of the town in order to rescue him by violence, cursing H.M. and uttering a great many rebellious speeches. The fellow thought proper to pay his fine and beg pardon of the court before they came so near the town, and by this means no mischief ensued. But they threatened the most cruel usage to such persons as durst come to demand any quitrents of them for the future. It is only in these two precincts that the people have dared to get together in a body, and how to quell them I cannot tell if they should attempt an insurrection against next collection. I have suggested something to Mr. McCulloh which without much trouble might do great service in this case, if my lords please to pay any regard to it and it be done speedily. I shall take care in all events to do my duty.

I have sent Mr. McCulloh for their lordships' inspection part of a crop of silk I made truly and *bona fide* on my own plantation this year. I was obliged to feed the worms mostly with wild mulberries, but next year some hundreds of my Italian mulberries will be in bearing, and I do not doubt to make finer, though this is reckoned not at all amiss for a beginning. I have at last got from the commissioners an account of their charges in running the boundary line, with a draft of so much of it as is already done, which I send to you for their lordships' use by this conveyance. [*Marginal note: not received*] I hope my Lords of Trade will take the other points in mine of 15 October and 29 November 1736 into their consideration very soon. I have often suggested that this province has never been regularly settled and that a few vigorous declarations from the Board of Trade would have a very great effect. The people seem here to be persuaded that they may do what they please and that they are below the notice of the king and his ministers, which makes them highly insolent. They never were of any service to the Lords Proprietors, and if something is not speedily done to convince them that H.M. will not be so used they will be of as little profit to the crown. *Signed*. PS. I have been lately informed that Mr. Moseley has several of the accounts of Mr. Little, the receiver-general under the Lords Proprietors, in his custody; upon which I ordered Mr. Allen to demand them of him, but he positively refused to give them up, though they are office papers, alleging that he was accountable for them to Little's executors. *Endorsed*, Recd. 9 January, Read 8 February 1737/8. 5½ pp. [C.O. 5, 295, fos. 105-107d.]

**520** Order of King in Council approving draft commission for Earl of  
October 6. Albemarle to be governor of Virginia. *Signed*, W. Sharpe. *Seal*. 1 p.  
Hampton Court. *Enclosed*,

520. i. Commission to Earl of Albemarle to be governor of Virginia. *Draft*. 19 pp.  
[C.O. 5, 196, fos. 150-161d; copy of order, endorsed, Recd. 28 March, Read 13 April  
1738 in C.O. 5, 1324, fos. 122, 122d, 125, 125d.]

**521** Harman Verelst to Thomas Causton. The Trustees desire you to let  
October 6. John Amory and Sarah, his wife, going to settle in Georgia, have  
Georgia Office. credit up to 50*l*. sterling, they having signed a security for payment  
thereof out of their estate in England. *Entry*. ¼ p. [C.O. 5, 667, fo. 38d.]



522

October 10.

Georgia Office.

Same to Thomas Causton by *Minerva*, Capt. Nicholson. The Trustees' letter by Capt. Hewitt mentioned their surprise to hear of a scarcity of provisions at the southward when by the enclosed accounts of the remains at November last and receipts since taken from the certified accounts such quantities appear. You had a list left with you in November last of the inhabitants at the southward and the proportion of provisions to be delivered to each, copy of which is now sent you; which inhabitants being those that Mr. Oglethorpe left or provided for coming who amounted in the whole to 221 heads, whereof at Frederica 153 and at the Darien 68. And the Trustees fearing that the proportion of bread kinds established for them in the said list is not sufficient, they have ordered that from the receipt of this letter to Lady Day next each head of the said inhabitants both at Frederica and the Darien is to be supplied after the rate of 24 lbs. of flour or rice or a bushel of Indian corn per month so as to make the whole bread kinds 6 lbs. a week to each head, whether all of one kind or part of one kind and part of another; whereby a month's flour or rice or a proportion of each be 24 lbs. together, or a bushel of corn in lieu thereof. Capt. Daubuz will sail next week to Cork and from thence to Georgia with 600 barrels of beef, 200 firkins of butter, 60 barrels of beer, 20 casks of flour, 60 firkins of tallow, 516 pairs of shoes and another sawmill.

Mr. Stephens's son who brings you this is accompanied with the following new settlers at their own expense: John Amory, his wife, three children and two men-servants (he has a grant of 150 acres and is recommended to the Trustees as understanding surveying in case there should be any occasion for his assistance, he brings over a circumferenter and case of instruments; if he should be found useful and fit to be employed, he has a copy of the terms made with Rosse, and if he is at all employed it must be under proper agreements from time to time as he shall be used. The memorial of his grant to be registered with the auditor will be sent by the next ship. He has an estate in England of 53*l.* a year, the rents of which are engaged for near four years to pay some remaining debts of his, and he and his wife have executed a deed to the Trustees for the payment of 50*l.* sterling after his creditors are paid in case they should want assistance in the meantime with either provisions or necessaries in Georgia to that amount, for which they have a particular letter of credit); Isaac Gibbs, his wife, two children and a manservant, to settle on a 50-acre lot; and Samuel Wathey to settle on a 50-acre lot; for which they have particular letters.

You will receive by this ship forwarded from Charleston two cases of muskets, two cags of bullets and two half-barrels of gunpowder which must be sent to Lieut. Moore Mackintosh for the use of the Darien; 15 barrels of herrings (five for Frederica, five for the Darien, five for Savannah) to be distributed to the people; and a box containing 400*l.* in sola bills, A. 1601-2000, the Trustees will send more by Capt. Ayers who sails this month.

The *Three Sisters* was to sail from Cowes last Saturday with 109½ heads of foreign servants. In the letter by that ship you were directed that after Capt. Gascoigne had two families, the rest were to be employed on the Trust's farm under Mr. Bradley. But the Trustees have written to him that you are now directed to employ of those servants men and boys sufficient to supply two for the store, such labourers for the millwrights as they may want, eight for the crane and garden and loading and unloading. And the families belonging to them are not to be separated from them but to be with them and employed in such manner as you shall find most convenient for the service of the Trust. The rest are to be employed on the Trust's farm [*particulars as in No. 498*]. The employing of these servants in such labour which is now paid for will be a saving in that article of expense; and the Trustees desire that every saving may be made where there is any

room for it. And you cannot recommend yourself more to them than by acting in that manner and at the same time having a regard not to permit any real want among the industrious people.

Notwithstanding any rumours concerning Spanish claims and intentions against Georgia, the colony is to be supported, for the king has made Mr. Oglethorpe captain-general and commander-in-chief of all H.M.'s forces in Carolina and Georgia and has ordered a regiment of 600 men besides officers for protecting his subjects in Georgia and his possession thereof and given the command of the said regiment to Mr. Oglethorpe, 300 men whereof will soon arrive with the lieutenant-colonel. These troops will not in any manner interfere with the civil affairs but the power of the militia and guardhouses will remain as they are and all privileges and liberties will be preserved. Wherefore you are to be assistive in everything to make your protectors easy and to remember the great obligations you have to the king for his care of you.

In the small box sent herewith you receive a grant and counterpart of 500 acres of land to Robert Hay who sailed from Scotland for Georgia with Mr. Anderson. The 1*l.* 1*s.* consideration money and 10*s.* 6*d.* more for registering the memorial of the grant with the auditor have been advanced for Mr. Hay by the Trustees, which you are to receive of him on his executing the counterpart of the grant and charge yourself therewith; and when received and the counterpart executed, you are to deliver the grant to him and send the counterpart to the Trustees, and the memorial thereof registered will be sent Mr. Hay by the next ship. The Trustees have also sent you their part of Samuel Lander's indenture who went by the *Mary Anne* and was ordered to the millwrights, which please let him have. John Crockatt having agreed to deliver you at Savannah for the use of the Trustees' servants 1000 yards of the best osnabrigs at 8*d.* sterling a yard, he has written to George Seaman for that purpose, and you are to give your receipt for them to be paid for in England. The Trustees have paid Mr. Crockatt for the two hogsheds of molasses delivered in Georgia by Mr. Oglethorpe's order in August 1736. Mr. Jenys being dead, the parcels by this ship are consigned to Joseph Wragg at Charleston to be forwarded to you; he is to draw on the Trustees for the expense. I have sent Mr. Eveleigh the *Daily Advertiser* 22 August 1737 – 8 October to forward to you. Entry. 3½ pp. [C.O. 5, 667, fos. 39-40d.]

## 523

October 10.  
Georgia Office.

Harman Verelst to George Seaman at Charleston. The Trustees having agreed with John Crockatt for your delivering Thomas Causton at Savannah 1000 yards of the best osnabrigs at 8*d.* a yard, Mr. Crockatt has written to you for that purpose and directed you to take Mr. Causton's receipt for the delivery thereof; which will entitle your correspondent to payment for the same here. Entry. ¼ p. [C.O. 5, 667, fo. 40d.]

## 524

October 10.  
Georgia Office.

Same to William Bradley at Savannah, communicating orders concerning the employment of the German families sailing to Georgia by the *Three Sisters* contained in Nos. 498 and 522. Entry. ½ p. [C.O. 5, 667, fo. 41.]

## 525

October 10.  
Georgia Office.

Same to Capt. James Gascoigne. Several German families having indented themselves for servants to the Trustees and sailed to Georgia on board the *Three Sisters* from Cowes, Mr. Causton has directions to let you have two of these families wherein are four or five young men to serve you. Entry. ¼ p. [C.O. 5, 667, fo. 40d.]



526

October 10.  
Georgia Office.

Same to William Stephens. Your son who brings this will let you know how your complement of servants has been made up, there having been only three shipped from Scotland, for which a bill has been drawn and will be paid next Thursday. I hope you had a good voyage. The Trustees for the conveniency of a safe correspondence between the inhabitants in Georgia and their friends in England have directed you to give notice to the inhabitants that they may bring or send their letters to you once a fortnight to be forwarded to England by every opportunity that next offers, which you are to forward accordingly to the care of the Trustees with a list of the said letters, keeping a copy of each list to send by the next opportunity after them with an account how they were forwarded. You are further to acquaint the Trustees what horses, cattle and stock are in the colony belonging to them and what quantity of trees there are in the Trustees' garden. [*Orders relating to the provisioning of the inhabitants at Frederica and the Darien in No. 522 here repeated.*] The king has ordered a regiment for Georgia of 600 men besides officers and made Mr. Oglethorpe colonel, Captain Cochran lieutenant-colonel and Captain Cooke major. Lieut.-Col. Cochran will soon be with you with part of the regiment, he going to Gibraltar for men from thence. [*Orders concerning employment of the German families sailing for Georgia in Nos. 498 and 522 here repeated.*] Entry. 1½ pp. [C.O. 5, 667, fo. 41, 41d.]

527

October 10.  
Georgia Office.

Same to William Horton, communicating directions contained in No. 522 concerning the provisioning of inhabitants at Frederica and the Darien. The Trustees have sent by this ship five barrels of herrings to be divided to the people at Frederica. Entry. ½ p. [C.O. 5, 667, fo. 42.]

528

October 10.  
Georgia Office.

Same to Lieut. Moore Mackintosh at the Darien. By this ship the Trustees have sent 50 muskets in two cases, 5 cwt. of bullets in two caggs and two half-barrels of gunpowder for smallarms, which they have directed Mr. Causton to send to you for service at the Darien. They have also directed him to send you five barrels of herrings to be divided to the people at the Darien. Entry. ½ p. [C.O. 5, 667, fo. 42.]

529

October 10.  
Georgia Office.

Same to Samuel Eveleigh at Charleston. The Trustees have regularly received the *South Carolina Gazettes* which you have sent them. And I have herewith sent you the *Daily Advertizers* from 22 August 1737 to 8 October, which please forward to Mr. Causton. The Trustees have paid Messrs. Bakers the certified accounts you sent them to receive, and are much obliged to you for your favours and kind correspondences. Entry. ½ p. [C.O. 5, 667, fo. 43.]

530

October 10.  
Georgia Office.

Same to Joseph Wragg, merchant, at Charleston. Mr. Jenys being dead, to whom the Trustees used to consign passengers and parcels to be forwarded to Georgia, your brother applied to Mr. Oglethorpe that you might be assistive to the Trust. Whereupon I received directions to consign to you the parcels in the enclosed bill of lading shipped for the Trust on the *Minerva* to be forwarded to Mr. Causton in Georgia. There is some gunpowder and shot in another bill of lading enclosed and consigned to you which was shipped for one Mr. Tuckwell and which please forward, with the parcels for the Trust, to John Brownfield at Savannah. Mr. Thomas Stephens comes over a passenger with a servant or two to go to his father at Savannah, who with John Amory and family, Isaac Gibbs and family, and Samuel Wathey, other passengers for Georgia, may with their baggage be sent with the goods above-mentioned. Draw upon the Trustees for the expense thereof. Entry. ½ p. [C.O. 5, 667, fo. 43.]

- 531**  
October 10.  
Whitehall. Alured Popple to Francis Fane, enclosing two Acts passed in Nevis in June 1737 for his opinion in point of law, vizt. Acts to amend an Act for good government of slaves; to oblige vessels having contagious distempers on board to perform due quarantine. *Entry.* 1 p. [C.O. 153, 16, fo. 65d.]
- 532**  
October 10.  
Whitehall. Same to same, enclosing three Acts passed in the Bahama Islands in 1736/7 for his opinion thereon in point of law, vizt. Acts confirming agreement of 7 September 1736 between Governor and Council and James Scott for a house for the governor; for settling the militia; to prevent vexatious lawsuits for small debts. *Entry.* 1½ pp. [C.O. 24, 1, fo. 162, 162d.]
- 533**  
October 10.  
Whitehall. Same to same, enclosing sixteen Acts passed in South Carolina in 1736 and 1736/7 for his opinion thereupon in point of law, vizt. Acts to supply defects in execution of Act to raise 30,387*l.* 3*s.* 7*d.* for charges of government; for settling a ferry on Santee river; ordinance appointing Capt. John Hext comptroller of duties granted to H.M.; Acts for taking off certain duties on Indian traders; for founding a chapel of ease at Beech Hill; for establishing patrols; for continuing Broad-street in Charleston to Ashley river; for enforcing part of an Act made in England in 5 and 6 Edward VI against buying and selling offices, part of a like Act made in 2 George I for preventing forgery, and part of a like Act made in 7 George I to prevent the forging acceptance of bills of exchange; for establishing a road to Orangeburg; for building a bridge over Ashepoo river; for raising 34,108*l.* 16*s.* 6*d.* current money for charges of government; to enable commissioners to sign orders to the amount of 35,010*l.* current money for defence of the province; for making a road from Savannah to Capt. Tyler's plantation; to empower commissioners of highroads and to alter the bounds of the parishes of St. John in Berkley County, St. Thomas and St. Dennis; additional to an Act for keeping a watch; for better regulating Court of Common Pleas. *Entry.* 5 pp. [C.O. 5, 401, pp. 236-240.]
- 534**  
October 10.  
Whitehall. Same to same, enclosing twelve Acts passed in New Hampshire in 1735 and 1737 for his opinion in point of law, vizt. Acts to encourage sowing and manufacture of hemp; to enable Governor and Council to take cognizance of the case of John Goff junior of Londonderry; for supplying the treasury with 6500*l.* in bills of credit for discharge of public debts; additional to an Act for emitting 15,000*l.* in bills of credit; to enable the Treasurer of New Hampshire to recover money due on bonds; for a tax of 600*l.* for payment of the growing charge of the province; to take off an entail in a deed of gift from John Meader junior of Dover, New Hampshire, to his daughter Sarah Tibbets; for better support of the gospel ministry in Rochester; to enable Lemuel Bickford to maintain his action of review in the case against Benjamin Richards of Dover; for erecting a parish in Hampton Falls; to enable the superior court to grant an execution against the proprietors of Londonderry; to enable Samuel Hart to dispose of estate of certain minors. *Entry.* 3½ pp. [C.O. 5, 917, fos. 104-105d.]
- 535**  
October 10.  
Whitehall. Same to same, enclosing four Acts passed in Jamaica in 1736 for his opinion in point of law, vizt. Acts for raising money for subsisting the independent companies and for preventing exportation of several commodities to French and Spanish islands; for a duty on rum and other spirits; to oblige inhabitants to provide sufficient white people; to explain an Act for regulating pilots. *Entry.* 2 pp. [C.O. 138, 18, pp. 269-270.]



536

October 11.  
Hampton Court.

Duke of Newcastle to Lieut.-Governor Thomas Broughton. It having been represented to the king that several German families that embarked in Holland for Philadelphia in order to settle there are now desirous of settling in South Carolina and that Mr. Wragg, a merchant here, has undertaken to transport them thither provided the council and assembly of the said province will order him to be paid upon their arrival there 5*l.* 5*s.* sterling per head and 450*l.* for freight, demurrage and victualling them, I am to acquaint you with H.M.'s pleasure that you accordingly recommend it, if there be no reasonable objection thereto, to the president, council and assembly of the province under your government to pay the respective sums above-mentioned to the said Mr. Wragg or his order upon his landing the said Germans there out of the money raised or to be raised by virtue of the Appropriation Act whereby 5000*l.* your currency was applied or appropriated for seven years to the charge of laying out townships and towards paying the passages and purchasing of tools etc. for poor Protestant families desiring to settle in that province, this case appearing to be within the meaning and intent of that Act. *Entry.* 1½ *pp.* [C.O. 324, 37, *pp.* 75-76.]

537

October 12.  
Whitehall.

Council of Trade and Plantations to the King, proposing that John Steward be appointed councillor of Jamaica in the room of William Needham who has desired leave to resign. *Entry.* *Signatories,* James Brudenell, R. Plumer, Monson, T. Pelham. 1 *p.* [C.O. 138, 18, *p.* 271.]

538

October 12.  
Georgia Office.

Harman Verelst to Thomas Causton, by the *Georgia* pink, Capt. Daubuz, enclosing invoice and bill of lading of what was shipped in London on this ship. The two casks of shoes, the bale of cloth and basket of hour-glasses, keep in store until Mr. Oglethorpe's arrival. Send the box of medicines to Mr. Hawkins at Frederica. The sawmill and loose pieces must be preserved until further orders. The other parcels are to be delivered as directed. Passengers by this ship are: Mr. Thilo, a surgeon going to Ebenezer; Samuel Goff, whose indenture is endorsed to Harry Buckley at Frederica, to whom please apply 6*l.* 13*s.* in maintenance and necessaries, balance of a sum paid in England; Thomas Webb and Edward Haynes, two servants bound to the Trust but assigned to William Stephens to complete his 10 servants, but if they are already completed these are to remain to the use of the Trust; John Evan, servant bound to the Trust, to be employed in such labour as is at present paid for or with the other Trust servants on cultivation. *Entry.* 1 *p.* [C.O. 5, 667, *fo.* 44.]

539

October 13.  
Hampton Court.

Duke of Newcastle to Council of Trade and Plantations directing that drafts of commission and instructions be prepared for Alured Popple, appointed lieut.-governor and commander-in-chief of Bermuda in the room of John Pitt. *Signed.* 1 *p.* *Endorsed,* Recd. 15 October, Read 19 October 1737. [C.O. 37, 13, *fos.* 16, 16*d.*, 20, 20*d.*.]

540

[October 13.]

Petition of the merchants and planters in behalf of themselves and others trading to and interested in the British colonies in America, to the King. The fair and lawful trade of your subjects to the British Plantations in America has been greatly interrupted for many years past not only by their ships having been frequently stopped and searched but also forcibly and arbitrarily seized on the high seas by Spanish ships fitted out to cruise under the plausible pretence of guarding their own coasts. The commanders thereof with their crews have been inhumanly treated and the

ships carried into some of the Spanish ports and there condemned with their cargoes in manifest violation of the treaties subsisting between the two crowns. Notwithstanding the many instances made by your ministers at the Court of Madrid against this injurious treatment, the late and repeated insults of the Spaniards upon the persons and properties of your subjects lay your petitioners under the necessity of applying again to you for relief. By these violent and unjust proceedings of the Spaniards the trade to your Plantations in America is rendered very precarious, and if any nation be suffered thus to insult the persons of your subjects and plunder them of their property your petitioners apprehend it will be attended with such an obstruction of that valuable branch of commerce as will be very fatal to the interest of Great Britain. Petitioners pray the King to procure satisfaction for losses, that no British vessels be detained or searched, and that the trade be rendered secure. *Signed*, Peter Delamotte, William Baker, John Harries, John Seale, Nathaniel Bapnett, Roger Drake, James Knight, John Ashley, James Douglas, George Spence, Richard Boddicott, Stephen Winthrop, Charles Hallifax, Thomas Somers, David Barclay & Son, John Scott, William Black, Samuel Stanfield, Samuel Sydebothom, John Chapman, Thomas Butler senior, John Wilmer, Thomas Hyam, Richard Fenton, John White, T. (?) Douglas, J. Bowers, Isaac Dias Fernandez, Moses Nunes Brandon, Judah Supino & Son, Samuel Baker, William Rider, Robert Marsh, Simon Jacob, Robert Holmes, Henry Davy, David Wilkie, Edwin Somers, S. Bethell, John Warner, Thomas Hebert, Samuel Turner, David Currie, Beeston Long, Thomas Tryon, Alexander Dundas, Thomas Delamotte, Benoni Hancock, John Locke, Smith & Bonovrier, Augustus Boyd, Robert Lidderdale, William Fenton, Benjamin Ball, Charles (?) Hooper, David Miln, David Barclay junior, Ro[bert ?] Cooke, E. Wright, Robert Scott, Richard Buller, Robert Bostock, Thomas Pitts, Alexander Johnston, William Higgins, H. Bendysh, Richard Friend, Thomas Sandford, Edmund Boehm, Marmaduke Hilton, James Buchanan, John Gregory, Alexander Coutts, John Spieker, John Browne, Rowland Frye, Lawrence Williams, Henry Lyon, William Tryon, William Barnett, Colin Campbell, John Keith, William Perrin, Samuel Bonham, Richard Coope, William Coleman junior, Abraham Payne, Samuel Pennant, C. (?) McDowall, John Paul, Alexander Roberts, David Crichton, Timothy Cockshall, William Jones, Henry Norris junior, Lane & Smethurst, Moses Lainez (?), Plomer, Gardiner & Rolleston, Da. Barclay, William Adair, George Newland, Richard Wainhouse, Clere Talbot, Barrington Buggin, Peter Du Cane, Richard Du Cane junior, John Billers, Charles Pole, Francis Janssen, William Bowden, William Crombie, Thomas Ayscough, John Thomlinson, Thomas Truman, Daniel Flexney, Eliak. Palmer, Henry Barham, Jeremiah Allen, Henry Lang, Edward Clarke Parish, T. Hanbury, John Gibbon, Davy Breholt, Peter Simond, William Coleman senior, William Wilson, Samuel Frye, John Eliot, John Small, William Braund, James Randall, William Fenton, John Bell, Thomas Beckford, Papillon Ball, Samuel Osborne, Benjamin Fisher, James Henckell, John Dover, John Curtin, Thomas Sentence, Samuel Gibbs, Calverley Bewicke, Richard Beckford, John Beach, John Fowler, George Lewen, William Whitaker, Abel Fonnereau, John Godfrey, William Dunbar. 1 large p. *Endorsed*, Presented to H.M. 13 October 1737. Copy sent to Mr. Keene, 4 November. [C.O. 5, 5, fo. 145a.]

541

October 14.  
New York.

Lieut.-Governor George Clarke to Council of Trade and Plantations.

I obeyed your commands of 18 February by acquainting the members of H.M.'s council for this province who are appointed, with others,

commissioners for settling the lines between Massachusetts and New Hampshire with what you directed me. Soon after the commission arrived, I received from the agent of New Hampshire a copy of it with letters and copies of the commission for the other



gentlemen which were delivered to all of them except Mr. Harrison who has been in England these two years. And soon after came two gentlemen from Massachusetts on the same errand, but no signification from either province that they would reward their trouble or heed their expenses; so that none went from this town. But two gentlemen being likewise sent from Boston to Albany, they prevailed with Mr. Livingston to go. As for myself you know it was impracticable for me to leave the province. I have received your letter of 22 June acquainting me that H.M. had appointed Lord Delawarr governor of this province and Jersey. I assure you that I will do my utmost to preserve the tranquillity of this province, hoping in all things to acquit myself to your approbation and thereby to recommend myself to your protection. The assembly are sitting, but have yet done nothing but hearing and determining controverted elections. That is now over and I hope the house will proceed to business. *Signed.* 2 small *pp.* *Endorsed,* Recd. 22 November, Read 30 November 1737. [C.O. 5, 1059, *fos.* 33, 33*d*, 36, 36*d*.]

542

October 19.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, receipts from the bank for 1*l.* 1*s.* paid in by John Amory and for 1*l.* 1*s.* paid in by Robert Hay being the consideration money mentioned in their respective grants.  $\frac{1}{2}$  *p.* [C.O. 5, 687, *p.* 43.]

543

October 19.  
Whitehall.

Thomas Hill to Francis Fane enclosing two Acts passed in Jamaica in July last for his opinion in point of law, vizt. Acts to enable the inhabitants of parish of St. Ann to build a barrack; to enable constables of parishes to make distress in collecting deficiency tax. *Entry.* 1 $\frac{1}{2}$  *pp.* [C.O. 138, 18, *pp.* 272–273.]

544

October 19.  
Hampton,  
New England.

Commissioners for settling the boundary between Massachusetts and New Hampshire to Council of Trade and Plantations, enclosing an exemplification of their whole proceedings. The court has been adjourned to 1 August next for further commands from H.M. particularly with respect to marking out the boundaries. *Signed,* Erasmus James Philipps, Otho Hamilton, John Gardner, John Potter, Ezekiel Warner, George Cornell. 1 $\frac{1}{2}$  *pp.* *Endorsed,* Recd. 20 December 1737, Read 10 February 1737/8. *Enclosed,*

544. i. Proceedings of the commission, 1 August to 19 October 1737. *The following are the principal documents:* the commission, the demands of New Hampshire, the demands of Massachusetts, the answers of each province to the demands of the other, the judgment of the commissioners, the appeal of Massachusetts.

*The judgement* [at *fos.* 218*d*–219*d*] was: That if the charter of King William and Queen Mary dated October 7 in the third year of their reign grants to the province of the Massachusetts Bay all the lands which were granted by the charter of King Charles the first dated March 4 in the fourth year of his reign to the late colony of the Massachusetts Bay lying to the northward of Merrimac River, then the court adjudge and determine that a line shall run parallel with the said river at the distance of three English miles north from the mouth of the said river beginning at the southerly side of the Black Rocks so called at low water mark, and from thence to run to the Crotch or parting of the said river where the rivers of Pemigewasset and Winnepiseokee meet, and from thence due north three English miles, and from thence due west towards the South Sea until it meets with H.M.'s other governments, which shall be the boundary or dividing line between the said provinces of the Massachusetts Bay and New Hampshire on that side. But if otherwise, then the court adjudge

and determine that a line on the southerly side of New Hampshire beginning at the distance of three English miles north from the southerly side of the Black Rocks aforesaid at low water mark and from thence running due west up into the mainland towards the South Sea until it meets with H.M.'s other governments shall be the boundary line between the said provinces on the side aforesaid; which point in doubt with the court as aforesaid, they humbly submit to the wise consideration of H.M. And as to the northern boundary between the said provinces the court resolve and determine that the dividing line shall pass up through the mouth of Piscatagua Harbour and up the middle of the river into the river of Newichawannock (part of which is now called Salmon Falls) and through the middle of the same to the furthest head thereof and from thence north two degrees westerly until 120 miles be finished from the mouth of Piscatagua Harbour aforesaid or until it meets with H.M.'s other governments, and that the dividing line shall part the Isle of Shoals and run through the middle of the harbour between the islands to the sea on the southerly side, and that the southwesterly part of the said islands shall lie in and be accounted part of the province of New Hampshire, and that the northeasterly part thereof shall lie in and be accounted part of the province of the Massachusetts Bay. Costs of the commission to be equally shared between the two provinces. *Copy*, certified by signatories of covering letter. 210 pp. *Endorsed*, as covering letter. [C.O. 5, 880, fos. 122-231d.]

**545** Royal licence of absence for six months to Governor Richard Fitz-  
October 20. william. *Entry*. 1 p. [C.O. 324, 37, pp. 79-80.]

**546** Governor William Mathew to Alured Popple. I have given Capt.  
October 20. Snelling a box to be forwarded to you with the following public papers,  
St Christopher's. vizt. minutes of council of Montserrat 24 June - 29 September 1737,  
accounts of treasurer of St. Christopher's to 25 September 1737, minutes of council of  
Antigua, 1 November 1736 - 31 January 1736/7. I must desire you do not imagine I  
have had these last in my hands since January last, they being but very lately come to  
hand. *Signed*. 1 p. *Endorsed*, Recd. 4 January, Read 15 February 1737/8. *Enclosed*,

546. i. Account of money received from William Buckley, late treasurer. Balance  
in hand 22 September 1737: 493*l.* 4*s.* 2 $\frac{3}{4}$ *d.* *Signed*, William Pym Burt, treasurer of St.  
Christopher's. 2 small pp.

546. ii. Account of fusee money. Balance in hand, 13 September 1737:  
261*l.* 19*s.* 0 $\frac{1}{2}$ *d.* *Signed*, as preceding. *Certified*, 12 October 1737, by William Mathew.  
2 small pp.

546. iii. Account of hawkers' and pedlars' licences. Balance in hand, 22 September  
1737: 171*l.* *Signed* and *Certified*, as No. ii. 2 pp.

546. iv. Account of money appropriated to the use of negroes executed. Debit  
balance remaining, 22 September 1737: 3*l.* 3*s.* *Signed* and *Certified* as No. ii. 2 pp.

546. v. Account of licence duty. Balance in hand, 22 September 1737: 28*l.* 11*s.* 3*d.*  
*Signed* and *Certified*, as No. ii. 3 pp.

546. vi. Account of money appropriated to fortifications. Expenditure, 11  
February 1735/6 - 22 September 1737: 1117*l.* 12*s.* 7 $\frac{3}{4}$ *d.* Balance in hand at end of  
account: 432*l.* 8*s.* 1 $\frac{1}{2}$ *d.* *Signed* and *Certified*, as No. ii. 2 pp.

546. vii. Account of liquor duty, 21 February 1736 - 22 September 1737. Receipts:  
1368*l.* 11*s.* 11*d.* arising from 578 $\frac{1}{2}$  pipes Madeira wine, 31 $\frac{2}{3}$  tons beer and cider,  
289 $\frac{1}{2}$  dozen bottles French and Spanish wines, 5 gallons brandy, 1684 dozen bottles  
ale and cider, in 62 ships. Balance in hand at end of account: 1268*l.* 5*s.* *Signed* and  
*Certified* as No. ii. 4 pp.



546. viii. Account of powder duty, 17 January 1735/6 – 21 September 1737. Recd. 16,544 lbs. on 167 ships of total tonnage of 16,544 tons. Delivered out: 16,898 lbs. Debit balance remaining: 354 lbs. *Signed and Certified*, as No. ii. 13 pp. *Endorsed*, Treasurer's accounts of St. Christopher's, Recd. 4 January, Read 15 February 1737/8. [C.O. 152, 23, fols. 74–75d, 77–98d.]

547  
October 24.  
Whitehall.

Alured Popple to Council of Trade and Plantations referring to draft instructions for the governor of Bermuda. In 2nd article of Capt. Pitt's instructions there are names of twelve councillors inserted: but of them, there remain only Richard Jennings, Andrew Auchinleck, Francis Jones, John Butterfield, Nathaniel Butterfield, Leonard White. Three, Robert Dinwiddie, Samuel Burrows and Samuel Spofferth have since been appointed. Mr. Dunbar, surveyor-general of customs, having been appointed councillor in ordinary by H.M.'s order of 7 July 1734, you will please place him in what rank at that board you judge proper, he having never been there. Thus stands the council of Bermuda, by which you will observe there are two vacancies, the more necessary to be filled up because there must constantly be one vacancy occasioned by Mr. Dunbar's residence at Antigua. I beg leave to propose Perient Trott senior and Henry Corbusier as gentlemen every way qualified to serve H.M. as councillors in Bermuda.

In 26th article of Capt. Pitt's instructions he was directed to propose to the assembly that a duty of 1d. per lb. be settled on exportation of tobacco. This instruction having been prepared at a time when the inhabitants of Bermuda did actually export tobacco might then have been very proper; but as this has not been the case for many years past I submit it to you whether it is necessary to continue this instruction any longer.

By 28th article of Capt. Pitt's instructions settling his salary, the profit accruing by licences granted for whale fishing is made part of the governor's salary and reckoned to him as 100l. a year. But as this part of the governor's salary was taken from him by the circular instruction sent to all American governors in 1730, Capt. Pitt had an additional instruction empowering him to receive from the assembly an equivalent. Capt. Pitt in his letter to you of 30 May 1734 acquaints you that the taking from the governor the power of licencing persons in the whale fishery and thereby leaving it open to everyone was of bad consequence because the numbers of fishermen being thereby increased they hindered one another to that degree that they lost the whales and instead of exporting 4 or 500 barrels of oil to the West Indies, London, and Liverpool, as they used to do, they did not make enough for the use of the inhabitants. From the best enquiry I have been able to make concerning what is above-mentioned I have reason to think the fact is true. But although the interest of the islands may suffer by the fishery being left open, yet I believe the inhabitants may generally desire it should remain so because although less profit accrues to the whole yet those few who are successful make the greater advantages and everyone hopes he may be one of the successful few. As I am no way concerned in point of interest in the event of this instruction I hope you will not think I had any view in stating this affair but that you might determine for the good of the island.

In the 37th article of Capt. Pitt's instructions relating to the displacing of judges etc. the words 'with the advice and consent of the council' is a wrong recital of the power given by the commission of appointing judges etc. The 41st article relating to salaries and fees is effectually provided for by an Act passed in Bermuda in 1694. The 47th and 48th articles relate to appeals to the crown in pursuance of an Act passed in Bermuda in 1690 and 1691 for establishing and regulating the courts of judicature. But as other Acts have since been passed upon the same subject and as parts of these Acts seem to

be contradicted by the 48th article you will please determine whether the said two articles are of any further service. [*Marginal note:* To see the Acts.] The 78th article seems at present obsolete, being provided for by several laws passed in Bermuda for regulating the militia in 1690, 1693, 1708 and 1717. [*Marginal note:* To see these Acts.] Articles 84, 85 and 86 seem to be entirely useless because the inhabitants of Bermuda are known to purchase no negroes either from the African Company or others, many slaves are exported from but none imported to Bermuda. Articles 88, 89 and 91 were properly given to such governors as went thither immediately after the dissolution of the charter formerly granted to the governor and company of Bermuda but at present they seem to be entirely useless. *Signed.* 4½ pp. *Endorsed,* Recd. 24 October, Read 25 October 1737. [C.O. 37, 13, fos. 17-19d.]

548

October 25.  
Whitehall.

Council of Trade and Plantations to Duke of Newcastle, enclosing draft of commission for Alured Popple to be governor of the Bermuda Islands, with representation thereon. *Entry. Signatories,* T. Pelham,

James Brudenell, R. Plumer. 1 p. *Enclosed,*

548. i. 25 October 1737. Same to the King, representing that in 1614 James I having granted to the Earl of Southampton and many others the Bermuda or Summer Islands, the proprietors sent persons thither with the title of lieutenant-governor till 1684; when, some hardships having been laid on the inhabitants by the proprietors, a judgment was obtained upon a *quo warranto*, the charter was vacated, and the property reverted to the crown. Since then governors have been appointed with the title only of lieutenant-governor, which we apprehend was a mistake that has hitherto passed unobserved. We therefore propose that the title of governor be inserted in the commission instead of lieutenant-governor. *Entry. Signatories,* as covering letter. 2 pp.

548. ii. Draft of commission for Alured Popple to be governor of Bermuda Islands. *Entry.* 22 pp. [C.O. 38, 8, pp. 185-209.]

549

October 26.  
Charleston.

William Stephens to Trustees for Georgia. We arrived here 20th inst.

By reason of contrary winds and bad weather in the Channel, after sailing from Gravesend 13th August it was 24th of the same month ere we could put out to sea, when we sailed from Studland Bay: the same evening we took our departure of land from the Start. That day eight weeks we made the coast of Carolina and the next day came into port. Crosswinds made us beat the sea five of the eight in getting the length of the Western Isles but prosperous gales attended us from thence and made amends by driving us through all in three weeks more. In our passage divers of our people, as well sailors as soldiers and servants, fell ill in fevers, frequently four or five at a time; but though it pulled them down very low yet we lost none, and by the help of a young Scottish surgeon on board bound for Carolina who could bleed and blister etc. they generally got on their legs again in seven or eight days; for which I thought he deserved some acknowledgement and I made him a present of 5*l.* this country currency, in sterling value little more than half a piece, wherewith he was content. Among so many sick I thank God I kept my health well and yet do, but was sorry the first news I met with at my coming ashore was of Mr. Jenys's death some time before which puts an end to that house. But his widow (now removed to a private one) employs a gentleman to transact all necessities during the present situation of affairs whose name is Hopton and who principally negotiated all matters under Mr. Jenys during his life. Upon my delivering those letters I was entrusted with, Mr. Hopton was immediately ready to promote your service in giving me what assistance was needful.

It was incumbent on me with as little loss of time as possible to get all ashore who were under my care as well for their security (because the ship lying close to a stage



everybody promiscuously had free passage in or out) as also that they might recover more strength by the help of a little fresh food for a few days before we proceeded on our next voyage; for which purpose we got a little old empty house just capable of receiving them and where they might boil their own broth; while they were attended by two negroes which I got Mr. Hopton to procure me who waited on them with what was ordered and needful and at the same time were indeed a guard upon them. It behoved me to take some boat large enough to carry all the goods as well what were consigned by the Trust to Mr. Jenys as what belonged to myself and others, and also capable of receiving such a number as we were so as to be under cover. For the state our people were in and the season of the year now would not admit of their lying open in the nights and the length of our passage uncertain too: wherefore upon consulting Mr. Eveleigh and some others who I knew were wellwishers to Georgia they all concluded it would be best to hire the schooner I did since no perriager I could find would answer the whole purpose, and as they demanded at least 70*l.* for freight, the advance of 30 more would make it yet cheaper to hire this which could do it all complete.

The lieut.-governor, Col. Broughton, lies so dangerously ill in a dropsy that his life is expected to be very near an end. The same spirit of calumny reigns here as formerly with respect to Georgia where (if common fame were to be regarded) we are told the people are in want of everything; and their crop of corn, they tell us, is so very poor that it will do little towards their support. But from what I have formerly experienced of their kind disposition I suspend my belief of abundance that I hear, hoping to find it very different. There seems to be too much ground nevertheless for another report of great divisions and contention among them of which I learn divers articles have lately been transmitted from the opposites to be laid before you for your consideration. If I can anyway contribute to allay those animosities I shall think it a happy employment and I shall lose as little time as possible on that errand, purposing to set forward this evening or tomorrow at farthest and will omit no opportunity of writing what offers to give you the best information I can in whatever is expected from me. Finding a ship here from New England for London soon, I can't let the first slip without leaving this to go by her, howsoever imperfect it is till I know better what I ought to write. *Signed.* PS. Since the writing of this a ship appearing off the bar which was judged to be from London I thought it not amiss to wait her coming in; and it proved to be Capt. Reid by whom came a small box and a packet of letters directed to Mr. Jenys for Mr. Causton, both which I luckily now take with me. Mrs. Jenys's account will go by the same ship with this which I am apprehensive may appear at first sight somewhat extraordinary, wherefore I thought it necessary to observe a few things thereon which you will find noted and have certified the whole. W.S. 2 $\frac{1}{4}$  pp. *Endorsed*, Recd. 2 January 1737/8. [C.O. 5, 639, fols. 410-411d.]

550

John Hamilton to Council of Trade and Plantations. I have already set forth to you the terms I am to give the people who come to settle with me and what benefit they are to render me. The following inducements, amongst others, are what generally create a desire in such people to settle under me. (1) The manner in which I propose to settle them, being 200 acres to each family and that surveyed out in proper allotments for them against they come there. (2) That I undertake they shall be furnished with provisions for the first year at an easy rate, and to have credit for it till they can conveniently repay it, together with some other necessary accommodations. (3) That I have discovered a certain method of clearing more land in a month by the labour of two men than twenty can clear in the usual manner in twelve months. (4) The things they are to propagate and the instructions I am to furnish them with to facilitate

their getting of profit. (5) That I undertake to procure the people an easy and certain market for all their commodities as soon as they have raised them. (6) That I have something to propose when I get to the province which will ease my people as well as others from paying taxes of any kind, and yet raise a much greater annual sum than ever has been raised there hitherto, and a thing so conceived as to be highly beneficial to England as well as that colony and to be established without opposition. *Signed. 2 pp. Endorsed, Recd. 26 October, Read 28 October 1737. [C.O. 5, 366, fos. 20-21d.]*

551

October 27.  
Charleston.

William Stephens to Harman Verelst. By the enclosed which please present to the Trustees you will see all that my progress thus far has afforded. I could write many other particulars needful for me to impart to you, but betwixt one and another I am in a continual hurry here and therefore defer it till I come to Savannah which I hope (weather favouring) may be in a few days when I purpose to write by the vessel that returns hither from carrying us and expect it will be time enough to go by the same ship which is shortly going hence and which I leave this to be sent by from Mrs. Jenys's agent Mr. Hopton. We cannot learn any news by Capt. Reid just arrived more than what I brought with me, unless when I get to Savannah there should happen to be a letter for me in the packet for Mr. Causton: therefore know not what to conceive relating to our friend at Whitehall nor shall I, till my next, trouble you with anything further than to beg you will let such of my friends as enquire after me know that I am well. *Signed. PS. I shall now wish for Capt. Nicholson's arrival and my son with him. 1 small p. [C.O. 5, 639, fo. 413.]*

552

October 27.  
Hampton Court.

Duke of Newcastle to Council of Trade and Plantations, enclosing for consideration and report an extract of letter from Lord Waldegrave, transmitting a memorial by M. Amelot containing proposal for adjusting disputes in the West Indies; with the project of orders to be sent to the French governors in America; and proposing similar orders to be sent to H.M.'s governors. *Signed, Holles Newcastle. 1 p. Endorsed, Recd. 27 October, Read 28 October 1737. Enclosed,*

552. i. Lord Waldegrave to Duke of Newcastle, Fontainebleau, 29 October 1737 (N.S.), enclosing M. de Maurepas' project of orders the French propose should be sent to their governors in America as the rule for commerce. By this project the edict of 1727 is looked upon as quite dropped and the treaty of 1686 enforced with some explanations: ships taken under the edict and contrary to the treaty are to be restored. By this project the French ports to which English ships may resort are specified: it is expected that the King will name harbours to which the French may go and send orders to the same purport as these to English governors. This is all I have been able to obtain at the cost of infinite labour and trouble. *Copy of extract. 2½ pp. Endorsed, as covering letter.*

552. ii. Memorial on navigation in America delivered by M. Amelot to Lord Waldegrave, 29 October 1737 (N.S.). In the orders proposed to be sent to the governors of British and French islands the treaty of 1686 is made the basis of regulation. The places in the French islands where English vessels in any want may anchor are specified; that is necessary not only to prevent contraband trade but because it is only in such places that vessels will find help. If ships cannot get it in those places they may anchor in others: they are enjoined to obtain the permission of the commander of the nearest place. It is expected similar orders will be sent to British governors. The French king proposes to make restitution of seizures made or



to be made contrary to these proposals, and expects this to be reciprocal. He demands restitution of the *Fleuron* of St. Malo and the *Mary Jane* of Martinique and the return of the security given for the *Fortune* of Dunkirk. He will at the same time restore the proceeds of the sale of the *Scipio*; and will send strictest orders that British subjects except those coming for illegal trade shall be well-treated in the French islands. *French*, with English translation. *Copy*. 3½ pp. text, 4½ pp. translation. *Endorsed*, as covering letter.

552. iii. Proposed letter from King of France to the governors of the Isles. It is agreed between the British and French courts that the treaty of 1686 shall be the basis of trade between the colonies of the two nations. All ships convicted by the depositions of crews or by papers on board of having traded or having the intention to trade contrary to article 5 of this treaty will be confiscated, subject to appeal to the Council of State. For further execution of the prohibition of illegal trade and in order not to hinder lawful trade it is agreed that all English ships going for wood or water to any French island shall be obliged to anchor in the following ports; in Martinique at Fort Royal, Bourg St. Pierre or La Trinité; in Guadeloupe at Basse Terre, Petit Cul de Sac or Fort Louis; in Grenada in the port of that name; and at Marie-Galante; in St. Dominigue, at Petit Guave, Leogane, St. Louis, St. Marc, Port de Paix, Cap François and Fort Dauphin. In case of pressing need so that ships cannot enter these places, they may anchor elsewhere on condition of sending notice to the governor of the nearest place and obtaining his permission in writing, and of not trading; they shall be well treated and allowed to buy necessary victuals but may not stay longer than necessary to provide for their needs. My intention is that these conventions shall be executed and you are to make them known to subordinates. *French*, with English translation. *Copy*. *Endorsed*, Delivered by M. Amelot to Lord Waldegrave, 18/29 October 1737. Recd. 27 October, Read 28 October 1737. 2½ pp. text, 4 pp. translation. [C.O. 152, 23, fos. 50-64d.]

## 553

Reply of Richard Partridge, agent for Rhode Island, to the answer of [October 27.] Francis Wilks, agent for Massachusetts, to the petition of Rhode Island for a settlement of the boundaries between the two provinces. (1) The answer of Mr. Wilks in no way reduces the force of the petition. (2) The complaint that the petition was in general and loose terms is groundless. (3) It makes no difference whether the land controverted contains 15 or 20,000 acres. The property of the soil is not in dispute, only the jurisdiction. (4) The attempt to make property the gist of the complaint is to seek to exploit the letters patent of James I to the Council of Plymouth in 1629 (*sic*); but the land in dispute is not contained therein. (5) The Rhode Island charter allows Pawtucket Falls to be the western line of the Plymouth colony; the land in question is to the westward of those falls. To assert that Narragansett Bay (which is part of the sea) and Pawtucket River (which is a brook no wider than a road) are the same requires no answer. (6) It is impossible to conclude that the land in question is within the Plymouth grant because Wamsitta, Sachem of Sawampsit, claimed jurisdiction over it and conveyed the same. (7) The settlement of the boundary at Pawtucket river in 1664 by commissioners is not conclusive as there were several irregularities in the proceedings of the commission. (8) The charter of 1692 incorporating Massachusetts does not include this land, it being before granted to Rhode Island; confirming all the lands granted to Plymouth to Massachusetts cannot reach the case since the land was no part of the Plymouth grant. (9) The Act of Massachusetts in 1694 laying out a township called Attleborough, confirmed by H.M., does not alter the case for that would be allowing a province to extend their jurisdiction as far as they thought fit.

(10) Massachusetts asserts peaceable possession of the land. But there is no rule that makes possession become a right of jurisdiction, as in the case of property. The ruling of the commissioners of 1664 obtains only till H.M.'s pleasure be signified, which is what Rhode Island prays for. Rhode Island has all along claimed the jurisdiction and used all reasonable endeavour to obtain it. It was the ancient opinion of the inhabitants of Massachusetts that the land was not part of that province, as is illustrated by the case of Rev. Mr. Blackstone, an episcopal clergyman, who removed out of the jurisdiction of Massachusetts and settled on the land in question in 1661 and lived there free from the injunctions placed on him. (11) No argument drawn from purchase or improvement affects the case of jurisdiction. (12) The agreement between Massachusetts and Rhode Island in 1719 is foreign to the present case: it concerned the northern boundary of Rhode Island. (13) Massachusetts draws wrong conclusions in pretending to extend their jurisdiction further west than a due north line from Pawtucket Falls, the clear and express boundary fixed by the charter to Rhode Island. (14) Massachusetts fails to show the land to be part of the lands in Plymouth. (15) The charter to Massachusetts does not include the land in question. (16) It is hoped that the submissive disposition of Rhode Island will not be allowed to be a plea against the recovery of their clear, express and indisputable right. (17) It is not doubted, in view of the facts rehearsed, that H.M. will put an end to further controversy and establish the jurisdiction of Rhode Island. (18) Part of the lands now called Bristol, Freetown, Tiverton and Seconet, rightfully appertain to the jurisdiction of Rhode Island. (19) A small part of the land included in the ancient grant to Plymouth is comprehended in the boundaries of Rhode Island, to wit, Bristol and part of Freetown. But this was put under Rhode Island in 1663 just as the rest of the Plymouth lands were put under Massachusetts in 1692. (20) An authentic plat of Rhode Island is herewith presented wherein most of the controverted lines have been run by a noted artist belonging to another colony. *Signed.* 10 pp. *Endorsed,* Recd. 27 October, Read 14 December 1737. [C.O. 5, 1269, fos. 5-10d.]

## 554

October 28.  
Hampton Court.

Warrant to Governor Richard Philipps (or in his absence to Lieut.-Governor Lawrence Armstrong) to approve or suspend sentences of courts martial in the regiment of foot at Annapolis Royal, Canso and Placentia except in the case of commissioned officers who may deserve to be cashiered or be guilty of capital crimes. *Entry.* 3½ pp. [C.O. 324, 37, pp. 85-88.]

## 555

October 28.  
Hampton Court.

Warrant to Governor William Mathew to approve sentences passed by courts martial in the Leeward Islands except in cases of commissioned officers who may deserve to be cashiered or be guilty of capital crimes. *Entry.* 3½ pp. [C.O. 324, 37, pp. 81-84; another entry in C.O. 324, 50, pp. 166-169.]

## 556

October 28.  
New Providence.

Governor Richard Fitzwilliam to Council of Trade and Plantations. In my letter of 15 April last I acquainted you of the apprehensions we were under here of an invasion from the Spaniards. But I did not then foresee the terrible consequences those apprehensions have since produced, for the inhabitants in general were thereby prevented reaping the usual benefits from the salt ponds which mostly enabled them to purchase their provisions and other necessities for the succeeding summer and autumn; and the neighbouring colonies, having notice thereof and being sensible we have no other means of supplying our wants those times of the year, there being very little money among us, forebore sending us any provisions and, as one misfortune commonly succeeds another, we had such dry weather at the beginning of the summer as destroyed our Indian corn and other provisions that were



put in the ground, so that there are very many among us who have not eaten either bread or meat these two months, their sole subsistence being crabs they pick up along the shore, fish when it is calm weather to take them, wild plums and whatever else they can find to pick off the trees. I am very apprehensive if chance does not throw some relief in our way suddenly our misfortune will be of long continuance, for if the people cannot get sustenance to carry with them out among the islands to enable them to cut braziletto wood, saw plank and reap the other benefits they usually do in the winter season, we shall be quite reduced. In the beginning of this scarcity I happened to have a good quantity of provisions in the garrison of which I lent the inhabitants as much as I could possibly spare, parcelling the same out in small quantities proportionable to the number of each family that was in greatest want, which at such times falling heaviest on the poor who are consequently mostly to be commiserated. I am very confident many of them will never be able to repay me and indeed I have reduced my stock of provisions in the garrison so low that I have been obliged to hire a sloop at a large expense to go to New York for beef, pork and bread, whereof I could not send for any great quantity because I was desirous to leave as much room in the vessel as possible for such of the inhabitants as had wherewithal to send for corn for their negroes. But if any accident happens to this sloop the garrison will I fear be in the same situation of famine with the rest of the country, for I do not know any nearer place than New York from whence we can have a supply at present, the time of the year not being yet come to get any meat at Carolina; and they have had so little bread and flour imported there this year occasioned by the great quantities of wheat exported from the northern colonies to Europe that, I am told, flour has been sold at Charleston at about 18 or 20s. sterling the nett hundred and still continues at a most exorbitant price.

Though I have had a great deal of sickness this last summer, the generality of the inhabitants have been very healthy which has given strong hopes that the climate is returned to its ancient temperature. These islands were heretofore remarkable for being the least infected with sickness of any part of the West Indies, and indeed we want but an increase of people and a little assistance from the crown to make them very beneficial to the public. For most of the inhabitants agree that Cat Island contains at least as much good land fit to cultivate sugar canes upon as Barbados, besides a large quantity of ground fit to produce corn, cotton trees, indigo, ginger, and savannahs or low ground fit to raise and fatten cattle upon. The soil they say is much the same with that of Hispaniola and Cuba and it would seem a little romantic to repeat what people who have lived there 30 years say in regard to the fertility thereof, which determines me to go and make a survey of the bays and creeks about it and to take some Barbados and Antigua planters we have here along with me to view the land in order to enable me with the more certainty to lay before you what advantages, or if any, may arise to the crown or public by settling that place, which I am persuaded might easily be accomplished because it has already gained such a character that many people at Barbados, the Leeward and Virgin Islands, who have a great number of slaves and no land to work them upon, are continually enquiring of such of our inhabitants whose occasions call them thither whether the ministry are come to any resolution to purchase these islands from the proprietors and give any protection or other encouragement to such as should settle that place in particular. You are not insensible how very much the lands in our sugar colonies are said to be worn out by a long cultivation of them and as to my own part I do not know at present where we have any new ground fit to produce sugar cane unless that of Cat Island prove so; for Jamaica is known to be so very sickly as to discourage most people of the West Indies who want land from going to settle there, and it is very remarkable that notwithstanding the great sickness we have had here a few years past

among the white people our slaves have been extremely healthy insomuch that I believe we have not lost five since I have been in the government by sickness only, which if generally known would be a prodigious encouragement to people to remove their slaves hither, for the great mortality that often happens among them in the sugar colonies has reduced many a man. Enclosed are treasurer's accounts from Christmas to midsummer, council journals and lists of shipping from Lady Day to Michaelmas last. I have sworn into the council Samuel Frith in the room of James Jenner deceased.

*Signed.* 2½ pp. *Endorsed,* Recd. 31 January, Read 1 February 1737/8. *Enclosed,*

556. i. Account of duty inwards imposed by act of assembly in the Bahama Islands, Christmas 1736 – midsummer 1737. 13 ships. Total of duty, 58*l.* 1*s.*

Account of same outwards for same period. 22 ships. Total of duty, 75*l.* 7*s.* 9*d.*

Account of taxes per poll and on lots of land in Nassau imposed by act of assembly in Bahama Islands for same period. 143 masters of families [*names given*], total of 'taxables', 326. Total yield of taxes, 53*l.* 11*s.* 3*d.*

Account of arrears of taxes for same period, 5*l.* 11*s.*

Account of contingent charges for same period, 45*l.* 2*s.* 3*d.*

Account of H.M.'s revenue in the Bahamas for same period. Receipts, 409*l.* 9*s.* including balance from last account, 216*l.* 18*s.* Disbursements, 123*l.* 8*s.* 9*d.* Balance remaining, 286*l.* 0*s.* 3*d.* *Signed,* William Stewart, receiver-general. *Certified,* These accounts were examined in council and sworn to by William Stewart: Richard Fitzwilliam, 20 August 1737. 8½ pp. [C.O. 23, 4, *fos.* 33–34*d.*, 36–41*d.*]

## 557

October 29.  
Shoreham in  
Lisbon River.

Captain J[ohn] Towry to Alured Popple enclosing the state and condition of the fishery of Canso in Nova Scotia for 1737. *Signed.* ½ p. *Endorsed,* Recd., Read 17 November 1737. *Enclosed,*

557. i. Account of fish made at Canso in 1737, by whom made, with the number of schooners employed by each person.

No. of shoremen: 27 [*names given*]. Total of quintals: 40,000. No. of schooners employed: 65. No. of quintals shipped for foreign markets: 24,400; for New England market: 9600; for New England and West Indies: 6000. Barrels of train oil: 486. Price of fish, 10*s.* per quintal, of train oil, 1*l.* 4*s.* per barrel.

Sack ships lading at Canso, whither bound and where belonging, with names of masters, ships and no. of quintals by each in 1737. Total of ships: 13. Home ports: London (5), Boston (2), Weymouth, Topsham, Exeter, Southampton, 'Charles'<sup>1</sup> and Ipswich (1 each). Total tonnage: 1040. Total men: 111. Destinations: Mediterranean (6), Bilbao (4), Barcelona (2), Lisbon (1). Quintals shipped: 24,400.

Account of whale fishing in 1737 at Canso. No. of ships: 10. Tonnage: 601. Men: 152. Whales killed: 9. Barrels of oil made: 190. Price of whaleoil per tun: 7*l.* 4*s.* The reason of so small a number of whales killed at and about Canso is the vessels were employed in Davis straits. Queries answered as in the two former years. *Signed,* J. Towry. 3 pp. [C.O. 217, 8, *fos.* 25–28*d.*]

## 558

November 2.  
Jamaica.

President John Gregory to Council of Trade and Plantations, transmitting journals and minutes of council and assembly. I likewise send the answer of the four gentlemen who withdrew from the council to

the letter of admonition which was sent them; since which time no council has sat to advise upon it. Nor indeed shall I proceed any further in it since Mr. Trelawny is daily expected; and, since it has been under consideration of you and H.M.'s Council and I have received no instructions either approving or disapproving that conduct, I wish it

<sup>1</sup> *Sic* in MS.



may not give countenance to such proceedings here for the future. By Mr. Needham's declining to be of the council, Mr. Mill's long illness, and Mr. Campbell's great distance, I have it seldom in my power to get a council. And I not only lose that assistance but the public suffers by delay of justice. For several writs of error are depending before the council; they cannot be heard without a quorum of five and as the attorney-general is concerned in most of them we are still less able to form a council for that particular.

I thank God the country is pretty quiet at present. But the rebels who were formerly driven from the north-east parts are again returned; they have begun to stir and I fear will again grow troublesome. That part of the country is very weak in inhabitants: to remedy that misfortune I have placed two entire companies and one-half of another there. But as I have often acquainted you, the soldiers are only fit for the open ground and not able to pursue them in the woods. I do not say this as if I would join with those that would insinuate the soldiers were useless; I am so far from that opinion that I really think there should be an addition, at least these companies always kept complete and some better regulation as to the trial of such as misbehave. When the large extent of this country is considered, the small number of white inhabitants, in the whole little exceeding 8000, and the disproportion of the slaves, being above 80,000 besides those in rebellion, our being encompassed with powerful neighbours, it is matter of surprise that it should admit of a dispute whether the soldiers are necessary to be kept there. There is no accounting for the humours of particular persons who may represent otherwise, but I hope such private informations will not influence, and that proper regard will be had to the representation of the person who is entrusted with the government especially when he happens to receive no profit from the soldiery but is at a good deal of trouble in hearing their complaints and keeping them in order. As this affair will probably have received its determination long before this can have reached you I shall not enlarge upon it or add to the reasons which have been given at home for continuing the soldiers otherwise than by saying it would be a real hardship and injury to recall those troops since by express instructions from H.M. communicated by you they have had the liberty of recruiting here and a third of these companies do now consist of people properly belonging to this country. *Signed. Endorsed*, Recd. 26 January, Read 7 February 1737/8. 2½ small pp. *Enclosed*,

558. i. Edward Charlton, Henry Dawkins, William Gordon and Temple Lawes to Samuel Williams, clerk of the council of Jamaica, 15 August 1737. We shall not trouble to enquire whether the president has power to suspend us nor shall we enter into any fresh detail of his extraordinary conduct. We have represented our case to H.M.'s principal secretary of state; we intend neither disrespect to the council, the obstruction of public affairs, nor anything to incur H.M.'s displeasure. With submission to H.M.'s commands, we determine never to give our attendance at the board during Mr. Gregory's administration. *Copy*, certified by Samuel Williams, clerk of council. 1 p. *Endorsed*, as covering letter. [C.O. 137, 22, *fos.* 160-162d.]

559

November 2.  
Savannah.

William Stephens to Trustees for Georgia. I wrote you 26th ult. from Charleston a short account of my proceedings so far comprehending very little action in so long a space of time. By reason of Capt. Reid's coming in I was glad to wait one day longer there than I designed in order to take what packets he might have for Georgia (as I then wrote) and having those delivered to me by Mrs. Jenys I set sail on Friday 28th in the morning but by reason of little winds and those southerly we made it yesterday (1 November) before we could reach this place, where having landed all our people and delivered your several packets safely I take the opportunity by the return of the schooner which is upon haste to send this by way of appendix

to my former hoping it will come timely enough to Charleston to go by the same ship. The few hours I have been here have already plainly shown me that a spirit of discord or discontent (I scarce know what to call it) is spread among these people who under colour of divers hardships which they allege they sustain meet in parties and cabal how to rectify and reform matters according to their several caprices. Some of these complaints I presume may already appear before you in different lights as I hear they are set forth, and I promise myself that I may in due time receive your opinion thereon for my better guidance. In the meanwhile I shall do all that is in my power to reconcile such contentions and endeavour by all means to come at the truth of those springs which have occasioned them, when I shall lay them before you with the utmost impartiality. I expect to hear shortly of another ship sailing for London from Carolina when I foresee I shall not want matter to be more copious. I shall forward the dispatches and recruits for Frederica etc. in the south by a perriagua which is going hence in a day or two. We hear no news yet of Capt. Thomson. *Signed.* 1 p. [C.O. 5, 639, fos. 418-419d.]

**560** Letter from Thomas Pelham. I am directed by my lord duke to send  
November 3. you the enclosed petition of Mr. Shirley which you are desired to take with you into Norfolk and there show it to his grace that he and Mr. Pelham may find an opportunity of conversing with Sir Robert on the subject of it. I wish you would remind my lord duke of Mr. Whitmore's request, vizt. that his brother, Roger Whitmore now on board Capt. Smyth under the command of Commodore Clinton may succeed to a lieutenant on board the same ship who is willing to quit the lieutenantship provided the commodore will recommend him to be put on the half pay. I am just now setting out for Sussex. *Signed.* 1½ pp. [C.O. 5, 752, fos. 318-319d.]

**561** Harman Verelst to Thomas Hawkins at Frederica. Major William Cook  
November 4. having presented the colony with 16 different sorts of vine cuttings  
Georgia Office. from France [*particulars given*], General Oglethorpe directed me to send them to you. If the soil is strong, white grapes are proper; but for blue, a white sand. *Entry.* 1 p. [C.O. 5, 667, fo. 44d.]

**562** Same to Thomas Causton, by the *King George*, Capt. Jacob Ayers. The  
November 5. Trustees now not only repeat their directions for your being very kind  
Georgia Office. to the German families mentioned in letter of 17 September but order you to acquaint the said families of the instructions you now receive, which are that all the said German families bound to the Trust who can within six weeks after their arrival on your receipt hereof repay their passage and the charges amounting to 6*l.* 2*s.* 6*d.* sterling for each head, either by their own ability or by procuring themselves masters who will pay it for them (provided that each family do continue to remain together and are not proposed to be divided) shall be discharged from their indentures and be at liberty to settle themselves in Georgia or to go from thence as they shall think fit; and the Trustees direct you to be very careful in your conduct to them that they may have no cause of complaint. These families were by compulsion contracted with Messrs. Hopes at Rotterdam to carry them to Philadelphia, were ill-used in their voyage to Cowes and complained thereof to H.M., copy of their petition herewith sent. The king referred this petition to General Oglethorpe to examine into the allegations thereof who took great pains therein and made a report, copy herewith. Whereupon the merchant having consented to alter the voyage and several of the Germans being inclined to go to Georgia, Capt. Dunbar was sent to Cowes to indent so many of them as were willing to go to Georgia with an agreement for such families to be discharged from their indentures as could repay their passage and charges as above.



The other families on board the *Three Sisters* go to settle in Carolina, among which there is Hans Jacob Ham and his family who had paid a considerable part of his and his family's passage in Holland consisting of four heads whereof John Jacob Vanomaker, his servant, was one who with his master's consent indented himself to the Trustees and for whom you are to pay the said Ham 2*l.* 12*s.* 6*d.* sterling for half-freight of his said servant which he paid in Rotterdam and which the Trustees will deduct from the owner here out of the freight they are to pay; and you are to discharge the said Ham from being liable to the owner for the other half of the said freight, which the Trustees are liable for in case the said servant arrives in Georgia. Herewith you receive translated copies of five receipts for money paid Messrs. Hope at Rotterdam in part of their passage; the sterling money of each receipt is set against each sum and you are to repay the said sums to the persons who have paid the same and certify that you have done so that the Trustees may deduct such sums from the owner. The whole sum of the five receipts is 32*l.* 13*s.* 10*d.* sterling.

By the *Georgia* pink, John Evan was sent over as a servant bound to the Trust and his indenture was also sent you. If John Burton at Savannah can pay you for the Trustees' use 6*l.* 5*s.* sterling for the passage, bedding and clothing of the said Evan you may let him have him, Mr. Burton's wife having applied for two servants to be sent for him to pay the charge of on their arrival in Georgia, whereof the said Evan may be one; and if you can help Mr. Burton to another manservant on his paying the expense thereof the Trustees would have you supply him. Herewith you receive memorial of Robert Hay's grant mentioned in letter to you of 10 October. The memorial of Mr. Amory's grant is enclosed to him, he having paid for it. John West when he was in England gave his note to the Trustees for 10*l.* which was due 29 September last being the consideration money mentioned in the grant of 500 acres of land to Elizabeth West, his wife, the widow of the late Joseph Hughes, who surrendered to the Trustees her right in the 50-acre lot of her said late husband. Copy of that note is herewith sent you; you are to demand payment thereof or discount it in Mr. West's account of work and let the Trustees know when you have so done that they may send Mr. West his note and enter the receipt in their books. The Trustees have lately heard of William Harris's behaviour to Mr. Plumsted his master in London and therefore think it necessary to direct you to dismiss him from any service under you in the Trustees' store or otherwise, and that you do not on any account whatsoever employ or trust him any more wherein the Trustees are concerned. [*Orders concerning the provisioning of the inhabitants at Frederica and the Darien in No. 522 are repeated.*] David Zeizberger goes by this ship to his father, David Zeizberger, one of the Moravians at Savannah; he and John Michael Schaub, his acquaintance, are to be sent to the rest of the Moravians and put under the direction of their chiefs. These boys with the following parcels are consigned to Messrs. Crokatt and Seaman to be forwarded to you (Mr. John Crokatt going in the ship with them): a case with linen, medicines and books to be sent to Mr. Bolzius for the Salzburghers; a bale containing 1511½ yards of lindseys for clothing for German and other servants belonging to the Trust (except the Scottish who are other ways clothed); a bale containing 150 blankets for the said servants; a box directed to John Platrier, servant to William Stephens; a case directed to Charles Carter, servant to Mr. Wesley; a box directed to you containing 300 sola bills of 1*l.*, A. 2001-2200 and 2401-2500, to be issued by you for the use of the colony according to the established allowances and the orders you have received, which Gen. Oglethorpe has on the back of each directed you to issue; a basket of vine-cuttings to be sent to Thomas Hawkins at Frederica. Messrs. Crokatt and Seaman have instructions to draw on the Trustees for the expense of sending these boys and parcels from Charleston. *Entry.* 3½ pp. [C.O. 5, 667, fos. 45-46*d.*]

to my former hoping it will come timely enough to Charleston to go by the same ship. The few hours I have been here have already plainly shown me that a spirit of discord or discontent (I scarce know what to call it) is spread among these people who under colour of divers hardships which they allege they sustain meet in parties and cabal how to rectify and reform matters according to their several caprices. Some of these complaints I presume may already appear before you in different lights as I hear they are set forth, and I promise myself that I may in due time receive your opinion thereon for my better guidance. In the meanwhile I shall do all that is in my power to reconcile such contentions and endeavour by all means to come at the truth of those springs which have occasioned them, when I shall lay them before you with the utmost impartiality. I expect to hear shortly of another ship sailing for London from Carolina when I foresee I shall not want matter to be more copious. I shall forward the dispatches and recruits for Frederica etc. in the south by a perriagua which is going hence in a day or two. We hear no news yet of Capt. Thomson. *Signed.* 1 p. [C.O. 5, 639, fos. 418-419d.]

**560** Letter from Thomas Pelham. I am directed by my lord duke to send  
November 3. you the enclosed petition of Mr. Shirley which you are desired to take with you into Norfolk and there show it to his grace that he and Mr. Pelham may find an opportunity of conversing with Sir Robert on the subject of it. I wish you would remind my lord duke of Mr. Whitmore's request, vizt. that his brother, Roger Whitmore now on board Capt. Smyth under the command of Commodore Clinton may succeed to a lieutenant on board the same ship who is willing to quit the lieutenantship provided the commodore will recommend him to be put on the half pay. I am just now setting out for Sussex. *Signed.* 1½ pp. [C.O. 5, 752, fos. 318-319d.]

**561** Harman Verelst to Thomas Hawkins at Frederica. Major William Cook  
November 4. having presented the colony with 16 different sorts of vine cuttings  
Georgia Office. from France [*particulars given*], General Oglethorpe directed me to send them to you. If the soil is strong, white grapes are proper; but for blue, a white sand. *Entry.* 1 p. [C.O. 5, 667, fo. 44d.]

**562** Same to Thomas Causton, by the *King George*, Capt. Jacob Ayers. The  
November 5. Trustees now not only repeat their directions for your being very kind  
Georgia Office. to the German families mentioned in letter of 17 September but order you to acquaint the said families of the instructions you now receive, which are that all the said German families bound to the Trust who can within six weeks after their arrival on your receipt hereof repay their passage and the charges amounting to 6*l.* 2*s.* 6*d.* sterling for each head, either by their own ability or by procuring themselves masters who will pay it for them (provided that each family do continue to remain together and are not proposed to be divided) shall be discharged from their indentures and be at liberty to settle themselves in Georgia or to go from thence as they shall think fit; and the Trustees direct you to be very careful in your conduct to them that they may have no cause of complaint. These families were by compulsion contracted with Messrs. Hopes at Rotterdam to carry them to Philadelphia, were ill-used in their voyage to Cowes and complained thereof to H.M., copy of their petition herewith sent. The king referred this petition to General Oglethorpe to examine into the allegations thereof who took great pains therein and made a report, copy herewith. Whereupon the merchant having consented to alter the voyage and several of the Germans being inclined to go to Georgia, Capt. Dunbar was sent to Cowes to indent so many of them as were willing to go to Georgia with an agreement for such families to be discharged from their indentures as could repay their passage and charges as above.



The other families on board the *Three Sisters* go to settle in Carolina, among which there is Hans Jacob Ham and his family who had paid a considerable part of his and his family's passage in Holland consisting of four heads whereof John Jacob Vanomaker, his servant, was one who with his master's consent indented himself to the Trustees and for whom you are to pay the said Ham 2*l.* 12*s.* 6*d.* sterling for half-freight of his said servant which he paid in Rotterdam and which the Trustees will deduct from the owner here out of the freight they are to pay; and you are to discharge the said Ham from being liable to the owner for the other half of the said freight, which the Trustees are liable for in case the said servant arrives in Georgia. Herewith you receive translated copies of five receipts for money paid Messrs. Hope at Rotterdam in part of their passage; the sterling money of each receipt is set against each sum and you are to repay the said sums to the persons who have paid the same and certify that you have done so that the Trustees may deduct such sums from the owner. The whole sum of the five receipts is 32*l.* 13*s.* 10*d.* sterling.

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567

November 8.  
Virginia.

Lieut.-Governor William Gooch to Council of Trade and Plantations. Lord Fairfax about the end of September very privately embarked in Rappahannock river in the very last ship bound from thence for London, leaving behind him a letter to be sent me notifying his departure but without communicating the report drawn up by his commissioners or giving me or the king's commissioners a view of the map of his boundaries prepared by his surveyors, though in point of decency towards H.M. I expected it, whose interest is concerned; and with regard to myself, considering his lordship's own expedition in this affair, since it has been a standing rule well-known and long observed by you to receive no representation from abroad relating to any matter of government or public concernment but through the hands of the governor for the time being, unless such representation contained matter of complaint against the governor or that he refused to convey it, neither of which I am sure his lordship will tax me with. I would not be understood as if I desired he should not be admitted to a hearing on his pretensions without a previous communication made to me of his commissioners' report and surveyors' map; but I hope I shall be excused if I caution you against giving too easy credit in points where the reports and maps differ, because it is doing justice to the gentlemen employed for H.M. to allow them an opportunity of vindicating their conduct.

I am further to beg you that in case H.M. shall extend his favour so far as to include any of the bounds in dispute in a new grant to his lordship, a just regard may be had to the possessors of those lands who held by surveys and patents under the crown so as to leave them the quiet enjoyment of their possessions on the same terms they now hold them.

The crops of tobacco and corn have suffered very much by the drought of last summer, especially the latter, insomuch that it has been judged necessary to prohibit the export of Indian corn until June next, without which the labouring people especially the slaves could not be subsisted; and Col. Armistead has not made above 60 gallons of wine. Account of revenue of 2s. per hogshead enclosed. *Signed, 2 pp. Endorsed, Recd.* 28 February, Read 1 March 1737/8. *Enclosed,*

567. i. Account of H.M.'s revenue of 2s. per hogshead arising within this colony of Virginia, 25 April 1737 – 25 October 1737. Balance brought forward, 4244*l.* 2s. 11*d.* Receipts, 4012*l.* 5s. 10½*d.* Disbursements, 2833*l.* 0s. 7*d.* Balance remaining, 5423*l.* 8s. 2½*d.* *Signed, John Grymes, Receiver-General. Audited by John Blair, Deputy Auditor, 3 November 1737. Passed by William Gooch. 2 pp. Endorsed, as covering letter. [C.O. 5, 1324, fos. 100–103*d.*]*

568

November 9.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Mr. Paris presented a copy of the report of the Council of Trade and Plantations to the Privy Council on the hearing of the cause between the Trustees and the government of South Carolina. Resolved, that Mr. Paris prepare a petition to the Committee of Privy Council for the Trustees to be heard by counsel against the said report. Received, from Major William Cook, 16 different sorts of vine cuttings from France being his benefaction for the colony. 1 *p.* [C.O. 5, 687, *p.* 44.]

569

November 9.

Memorial of President, Council and Assembly of Bermuda to the King, praying for supply of powder and ammunition. That ordered nearly 40 years ago is now spent and the inhabitants so reduced by taxes paid for repair of the castle and several forts that they are not able to raise money to purchase the same. We embrace this opportunity to offer our congratulations on the birth of the princess. *Signed, Andrew Auchinleck and five councillors, Nathaniel Bascome, speaker, and 25 assemblymen. 1 large p.* [C.O. 37, 29, *fo.* 79.]



- 570** Council of Trade and Plantations to Duke of Newcastle transmitting drafts of instructions for the Earl of Albemarle, Governor of Virginia, with representation thereon to be laid before H.M. *Entry. Signatories*, November 9. Whitehall.  
 Monson, T. Pelham, J. Brudenell, Arthur Croft, R. Plumer. 1 p. *Enclosed*,  
 570. i. 9 November 1737. Same to the King enclosing draft of instructions for the Earl of Albemarle, Governor of Virginia. We have made no alterations or omissions from such general instructions as you have already approved to your other governors in America, except leaving out the 14th article relating to the salary of assemblymen which we omitted because it has been settled by an Act passed there in 1730. *Entry. Signatories*, as covering letter. 1 p.  
 570. ii. General instructions and instructions relating to the Acts of Trade and Navigation for the Earl of Albemarle, Governor of Virginia. *Entry*. 117 pp. [C.O. 5, 1366, pp. 169-287.]

- 571** Governor William Mathew to Alured Popple. I have delivered to November 12. Capt. Cottingham a box containing duplicates of papers sent by Capt. St. Christopher's. Snelling. [See No. 546.] I send with these the minutes of assembly of St. Christopher's, 5 April 1736 - 5 March 1736/7. *Signed*. 1 p. *Endorsed*, Recd. 27 January, Read 15 February 1737/8. *Enclosed*,  
 i. Duplicates of No. 546 i.-viii. above. [C.O. 152, 23, fos. 99-123d.]

- 572** Robert Bathurst to Lord Bathurst. I acknowledge myself in fault for November 12. not writing to you before. But being in Georgia I was sure that all my Charleston. letters would have been stopped especially by reason that I am obliged to let you know of the ill treatment our family has received in that colony. For when my dear mother lay on her deathbed we had no boat to go down to Savannah to get necessaries for her and I wrote to my sister to go to Mr. Causton to get something for my mother but he would let her have nothing but one bottle of Madeira wine which you must think was poor comfort for a woman on her deathbed. After her death my father was persuaded to marry again to an old gentlewoman of kin to the Duke of Chandos and was told she had a great deal of money and such other falsities; but on the contrary she brought us much in debt which after my father's death I and my brother-in-law Piercy were obliged to pay. After my mother's death we very often wanted necessaries, and when my dear father lay upon his deathbed we sent to Mr. Causton but he would let us have nothing. But when he heard that my father was dying he came to him to sign the bill that was sent to you and according to my father's desire I signed it but against my will; for there were several things charged in it that we never had of him, of which I made him give me a copy, here enclosed; and then he desired we would let my father want for nothing that he could help us to when he knew it was too late.  
 After my father's death Causton would never let me have anything nor had I ever a farthing's worth of him by reason I had no money to pay for it which I must lay to Causton's charge. For the first year we planted, the Trustees' horses broke into the plantation and destroyed all our corn although our fence was judged by all that saw it to be lawful; and when I went to complain of it to Mr. Causton (because there was nobody else to complain to) he laughed at it and said he would not be troubled about it, which you must know was no honest part of a chief magistrate who ought to do everybody justice. The second year we planted, [we] were served the same by the post-man Mr. Elbert's horses, and Causton served us the same again; and the third and last year we were served the same again by the Indians who Causton encouraged to do me all the mischief possible for they destroyed my corn and hogs, and although it was

in Causton's power to send them away he would not. My father died 19 December 1736 and on 21st Causton sent and took from me a maid-servant whom I had by my mother-in-law although she had a long time to serve to me, which you may judge whether that was honesty or not by her indentures, here enclosed. So I finding that I was never likely to get anything by staying in that place (to have everything I had destroyed), by the persuasion of those friends I had there I resolved to leave it; in order to which I tried to dispose of my household goods and servants to buy me common necessities and carry me away from Georgia, which when Causton understood he said that everything we had belonged to the Trustees. I told him that could not be, for you gave us the servants and that you paid for everything else. He said it was no such thing, for every pennyworth we had belonged to the Trustees (but you very well know the contrary) and he bound my brother Piercy in a bond of 30*l.* sterling to appear the next court to answer for the selling the Trustees' servants (for so he termed mine). But my brother-in-law seeing before so many examples of injustice done by Causton, by the persuasion of our friends we left the place. For although he could justly have answered that offence (as Causton termed it) yet he feared as he had reason that Causton would contrive something or other to make him stay in the colony which we can call no other than a prison; for Causton has stayed a great many people in that place pretending they owed money or had done some great fault or other.

I was told by a gentleman in Georgia that Mr. Oglethorpe told him that you had paid 50*l.* for us for the first year, 20*l.* for the second, and would pay 10*l.* for 7 years after. But if you do pay it I cannot tell what it is for; for since my father's death I never had anything. I never heard from you since I have been from England but when you sent us the other servant which Causton also calls the Trustees'. However things may be misrepresented to you I cannot tell, but I am sure I had just reason to leave it to save my life, for I really believe my father and mother both died for want of proper necessities and had I stayed, perhaps my own had been the same case; for when I lay ill the time my father married I had nothing to eat or drink or to take but bread and water. So after all this ill usage, as I think I may well call it, I left Georgia with my brother-in-law and sister Piercy, and on 30 September 1737 we came to Charleston in hopes to better ourselves leaving a good plantation behind me in Georgia with nobody to take care of it for Causton said it belonged to the Trustees, but I very well know to the contrary. Had you known the place to be such as I to my sorrow find it is I am very well assured you would never have sent us there and the money that you spent upon us there would have put me into a way whereby to get my living, and now I have nothing to depend upon to get my bread but the hard labour of my hands. I am sorry that whatever you have yet done for our family has had no success, and if you please ever to do any more for me (but I am ashamed to ask it for I very well know those things you have done for us are too many and to no effect), but if it please you to bestow anything upon me be it never so small value, it will be most gratefully acknowledged. *Copy.* PS. If you write or send anything you may direct to R. Bathurst to be left at Mr. Eveleigh's, merchant, on Charleston Bay, S. Carolina. 4 *pp.* *Endorsed*, Recd. Feb. 1737/8. [C.O. 5, 640, *fos.* 4-5*d.*]

573

November 15.  
Frederica.

John Mackintosh Moore to James Oglethorpe, congratulating him on his new honours. All the people of Darien are now in very good health and all alive except Hugh Clerk the tailor who died of a fever October last, and notwithstanding the false alarms they had last spring they have a very good crop, about 370 bushels of corn besides pease and other things, though the hard duty and working at the fort brought them very low yet they went through with great



courage and with intention never to quit the place alive. I have taken care that your orders should be punctually obeyed, as also of giving out the provisions as frugally as I could for the interest of the Trust without wrong done the people. Our being confined in such a small place as our fort brought great number of rats and mice which have destroyed some corn etc. with belts and cartouche boxes etc. Your usual fatherly care of us still appears and we all are very thankful. The servants you have ordered by the *Two Brothers* on their arrival shall be disposed according to Mr. Verlest's directions and what remains undisposed of shall be employed in sawing of boards for the public use. The arms shall be taken care of when they are sent to this place. I am here at Frederica with Mr. Horton in clearing my accounts which I believe will be finished this day: he is very careful of our place in visiting us, sending us what he can spare us, and in a word doing everything to keep up good harmony between us and the other settlements. The news of your soon setting out gives great encouragement and all join in prayers for your happy arrival. The cwt. of cheese Mr. Verlest advises me of I have now received and when I go up shall divide amongst the people as he directs. *Signed*. 2½ small pp. [C.O. 5, 640, fos. 8-9d.]

574

November 15.  
Frederica.

John Mackintosh Moore to Harman Verlest acknowledging letter of 12 August last. Darien is very much obliged to the Trustees for the care they seem to have about it. The servants when they come shall be employed as you direct in every particular and the clothing that Mr. Causton has orders to send shall be given as you mention. Arms and ammunition are the soul of any place that wants to defend itself as we do. Those arms you intend to send for us shall be taken care of for the defence of the place: we want a smith very much, our arms being much out of order and many of them useless for want of a little help, which if convenient pray think of. I have received of Mr. Causton's sending the cwt. of cheese you advise and when I get home shall divide among Darien people. For your direction I have written by this opportunity to Mr. Oglethorpe. Mr. Horton and I are busy now about clearing Darien accounts which I hope will be finished this day. *Signed*. 1 small p. [C.O. 5, 640, fos. 6-7d.]

575

November 15.  
Frederica.

Harry Buckley to James Oglethorpe. I have fenced in my town-lot and built a clapboard hut upon it which encourages me to beg you to speak to Mr. Towers for me for a servant and likewise for him to speak to my cousin Buckley which he told me he would do when I left England if I behaved myself well. Work and I cannot as yet rightly agree but hope that time with a little help will make it very agreeable to me. *Signed*. 1½ small pp. [C.O. 5, 640, fos. 10-11d.]

576

November 16.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Dr. Hales, 5/. 5s. benefaction of a gentlewoman for the use of the missionaries in Georgia. Read, a petition to the Committee of Privy Council praying for a day for hearing the Trustees by counsel against the report of Council of Trade and Plantations on the dispute between the Trustees and the government of South Carolina. Seal was affixed thereto, secretary to countersign. 1 p. [C.O. 5, 687, p. 45.]

577

November 16.

Petition of Trustees for Georgia to Committee of Privy Council for Plantation Affairs praying for a day to hear them by counsel against the report of Council of Trade and Plantations of 14 September last. *Entry*. ¾ p. [C.O. 5, 670, p. 332.]

**578** Thomas Hill to John Adams. Your petition was recommended as long ago as 1732 to Sir William Strickland, then Secretary at War, in the most favourable terms; since then nothing has been heard. I believe it will be necessary for you by some agent to remind the Secretary at War of it. *Entry.* 1 p. [C.O. 218, 2, pp. 343-344.]

**579** Council of Trade and Plantations to Committee of Privy Council. November 17. Pursuant to your order of 29 July last we have considered the petition Whitehall. of John Hamilton. [See No. 429 i.] He has given us further explanations of his scheme. [See No. 550.] The usual quitrent to H.M. being 4s. proclamation money for 100 acres, it seems a little extraordinary that the people should submit to give one-fifth part of the produce or 5l. a year for 100 acres to the petitioner. Besides which, as all the other propositions are too general and Mr. Hamilton does not think it convenient to explain to us how he shall carry the design into execution we cannot see any reason why H.M. should comply with the petition. *Entry. Signatories,* Monson, T. Pelham Arthur Croft, R. Plumer. 4 pp. [C.O. 5, 401, pp. 241-244; draft in C.O. 5, 381, fos. 255-257d.]

**580** John Savy to Duke of Newcastle. [In substance repeating claims and November 17. allegations of Spanish designs on Georgia contained in Nos. 588 i. and ii.] Falmouth. Patino promised 100 pistoles, a captain's commission and 1000 pieces-of-eight a year. Being at Havana I saw so much villainy against the interest of my God, my king and country that my conscience would never let me rest till I could get to England. *Signed.* 5 pp. [C.O. 5, 654, fos. 118-120d.]

**581** President John Gregory to Duke of Newcastle. I hoped not to trouble November 17. you; but there is at present such clamour here against the hostilities Jamaica. lately committed by the Spaniards that my duty must not permit me to be silent. We have advice from Havana that a vessel of 24 guns under the King of Spain's commission has carried into that port several ships belonging to British subjects, particularly three laden in this island and homeward bound, the *Loyal Charles*, *George* and *Dispatch*. The pretence for seizing these ships was that they were in sight of Havana; and upon searching them, the first had on board some logwood (which was purchased in this island and is at present a growing commodity of the country), the second had some bar gold (which was taken in payment from the South Sea factors for slaves purchased by them for the Spaniards), the third likewise upon pretence of some Spanish dollars on board. It is very certain these ships were on their voyage from this place and had touched nowhere else for those commodities. But the least pretence is sufficient for the Spaniards; and they make no scruple of seizing whatever they can master. Our case is unhappy, our hands are tied up, we must tamely submit and have no remedy but complaining which is not always effectual at the court of Madrid.

The country has been likewise alarmed at some military preparations said to be making at Havana. But upon enquiry I find no other foundation for it than that they have lately received 400 soldiers from Old Spain. It is true we have reason to be easily alarmed after such hostilities. We have a large country very thinly inhabited; we cannot trust the generosity of the Spaniards and have cause to believe they would think a war will begin with a surprise of some offpart of this country. And we are the more liable to such apprehensions from the steps lately taken by such as have the command of H.M. ships on this station, which at present only consist of a 60-gun and 50-gun ship and a small sloop of 12 guns. To let you into my meaning I must inform you that the gentlemen of the Navy have made very different representations, according to their opinion



or humour, of the harbour of Port Antonio. It was at first represented that the fortifying that place was of the greatest importance, as it certainly is for the security of the north side part of the country and the protection of our trade to windward. Upon this H.M. was pleased to purchase a place called Lynches Island which helps to form this harbour; great pains and expense have been bestowed on this place in erecting buildings and raising a line of guns for defence of the harbour. Here several navy stores were kept and H.M. ships did sometime careen. But of late it has been totally neglected, the workmen drawn off, the stores taken away, and the place so abandoned that it may become an easy reception to such as will think fit to possess it. This place lies within 24 hours sail of St. Jago de Cuba, and if the Spaniards should be disposed from thence only to land 500 men and tempt the rebel negroes who lie in the mountains within six miles of the place to join them, all the forces of this island could not possibly dislodge them; and it might cost H.M. the hazard and expense of a new conquest at least of this part of the country. It would have been much safer to the country it had never been settled than thus left exposed. You will be pleased to take in good part what I have said on this subject and make such use of it as you may judge advisable; it is certainly of consequence and such a contingency as should be carefully guarded against. *Signed. 3½ pp. Endorsed, Recd. 2 March, duplicate received February. Duplicate (at fos. 67-68d) has following postscript dated 25 November 1737: Since the above, I have been attended by some of the merchants and enclose their representation. Whatever may be obtained in their favour must be by H.M.'s interposition. However, as soon as H.M. ships on this station come in (none being at present in harbour) I shall give it as my opinion to Capt. Fox who now commands to sail to Havana to demand restitution. How far his instructions in case of refusal will warrant him to proceed further, I am not a judge; for those gentlemen look upon themselves as under a distinct province and seldom think fit to consult ashore. I am very sorry to acquaint you there has been an exceeding great mortality among the inhabitants. We have also the misfortune of losing two gentlemen of the council, Mr. Hals and Mr. Garbrand. The number of acting councillors is now reduced to four, Campbell, Mill, Concanen and Philp. The first lives near 100 miles from the seat of government, the next is grown very infirm. If Mr. Trelawny delays coming there is an absolute necessity either to oblige those gentlemen who have withdrawn to act or supply their places. It is impossible for me upon the present footing to make a quorum pursuant to H.M.'s instructions, which must consist of five. And as the dispute between the council and myself lies before H.M. I shall not presume to determine it myself unless anything very extraordinary lays me under that necessity. Signed. Enclosed,*

581. i. Representation of merchants of Kingston, Jamaica, to President Gregory. [See No. 595 iii.] 1 large p. [C.O. 137, 56, fos. 65-69d.]

**582** Order of Committee of Council for Plantation Affairs, referring the November 19. enclosed to Council of Trade and Plantations. *Seal. Signed, James Whitehall. Vernon. 1 p. Endorsed, Recd., Read 23 November 1737. Enclosed,*

582. i. Memorial of Governor Edward Trelawny to Committee of Council for Plantation Affairs. Desiring to encourage the exploitation of royal mines of gold and silver in Jamaica and doubting whether the words in his commission justify his making grants thereof, the memorialist submits whether it may not be proper for him to be given some further instruction thereon. *Copy. 1½ pp. [C.O. 137, 22, fos. 147-149d.]*

**583** James Wimble to Duke of Newcastle, seeking letters of reprisal to November 20. retrieve losses sustained at the hands of the Spaniards, and also relief London. in the matter of a ship lost as a result of being pressed by Governor Woods Rogers. *Illiterate. Signed. 2½ pp. [C.O. 5, 752, fos. 320-321d.]*

**584** Order of Privy Council directing that the names of Frederick, Prince of Wales and other members of the royal family be included in prayers in public services and occasional offices in the Plantations. Council of Trade and Plantations to prepare drafts of instructions. *Signed*, James Vernon. *Seal*. 1 p. *Endorsed*, Recd., Read 23 November 1737. [C.O. 323, 10, fos. 113-114d.]

**585** [Duke of Newcastle] to all consuls and governors of Plantations, communicating news of the death of the Queen yesterday, 20 November. [November 21.] *Draft*. 1½ pp. [C.O. 5, 5, fos. 145b-146d; entry in C.O. 324, 37, pp. 89-92.]

**586** Minutes of Common Council of Georgia. The accountant acquainted the Common Council that 770*l.* had been drawn for upon the Bank 26th of last month for payment of 500*l.* in bills from Ireland on account of provisions bought there, 210*l.* for the sawmill and 60*l.* for 300 pairs of shoes; 430*l.* drawn the 9th inst. for payment of provisions, Indian guns and other things provided for this year's service in Georgia. Received certified accounts as follows: 166*l.* 19*s.* 4*d.* sterling stated to be due to Samuel Lacy for pettiaugua hire and provisions dated 22 August 1737; 381*l.* 4*s.* 5*d.* due to Francis Johonnot for provisions and necessities dated 23 July 1737. Read a letter from Mr. Causton dated 10 August 1737 advising of two certified accounts dated 10 August 1737 to Messrs. Minis and Salomons for 141*l.* 18*s.* 10½*d.* and 317*l.* 15*s.* 11*d.*, total 459*l.* 14*s.* 9½*d.*, whereof the account for 317*l.* 15*s.* 11*d.* is come for payment. Read a letter from him dated 26 July 1737 advising of certified account to Benjamin Appelbe dated 26 July 1737 for 148*l.* 2*s.* 11½*d.* Received certified accounts as follows: Samuel Montaigt & Co. for 76*l.* 5*s.* 10*d.* for necessities dated 21 July 1737; William Bellinger for 147*l.* for steers dated 1 August 1737. All which certified accounts received and advised of amount to 1379*l.* 7*s.* 4*d.* Ordered that they be examined by the accountant and paid if truly computed. Ordered that a draft be made on the Bank of England for 1379*l.* 7*s.* 4*d.* payable to Ald. Heathcote for payment of said bills; draft signed.

Ordered that it be an instruction to the committee for sending over to Georgia the sola bills ordered to be made out 10 August last that they be careful of keeping back so many sola bills as the amount of any certified accounts that may hereafter come to hand and be dated after the arrival of William Stephens in Georgia who sailed the middle of August last with the established allowances; of which sola bills 1800*l.* part of 4850*l.* have been already sent and 3050*l.* remain; and that the said committee do also consider whether the supply of provisions and necessities received in Georgia from July last to the time of William Stephens's arrival which is or shall be known will not be so far assisting to the colony as to lessen the necessity of sending the whole sola bills remaining, 500*l.* per month being the computed expenses abroad one month with another.

Sealed a grant of 500 acres of land in Georgia to George Preston junior of Valyfield in the county of Perth; secretary to countersign and sign a memorial thereof to be registered with the auditor of the plantations. Resolved that the said George Preston have leave to be absent during pleasure in consideration of his sending over ten servants to cultivate his land.

Sealed grants of 500 acres of land in Georgia each to Lieut.-Col. Cochran and Major Cook. Resolved that each soldier of Col. Oglethorpe's regiment shall have an allotment of five acres of land in Georgia to cultivate for his own use and benefit and shall hold the same during his continuance in H.M.'s service in Georgia. Resolved for a further encouragement to the said soldiers' good behaviour that each soldier who shall at the end of seven years' service from enlisting in the said regiment desire to quit H.M.'s



service and shall have his regular discharge and shall settle in Georgia, shall on his commanding officer's certificate of good behaviour be entitled to a grant of 20 acres of land to hold to himself and his heirs male for ever. The said two resolutions to be sealed and the secretary to sign the same.  $5\frac{1}{2}$  pp. [C.O. 5, 690, pp. 113-118.]

587

November 23.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 5*l.* 5*s.* by Dr. Hales. [See No. 576.] Received, same for 14*l.* 15*s.* 6*d.* paid in by William Tillard for the S.P.C.K. being so much expended in England by the Trustees for the Salzburghers in Georgia between 8 March 1736/7 and 3 November 1737. Read, a letter from Andrew Stone with a letter from John Savy dated Cadiz 22 October 1737 to the Trustees transmitted by Mr. Keene to Duke of Newcastle. [See No. 588 i.] Read, another letter from John Savy dated Falmouth 17 November 1737. [See No. 588 ii.] Ordered that the last letter and a copy of the first be immediately laid before Duke of Newcastle.  $1\frac{1}{2}$  pp. [C.O. 5, 687, pp. 46-47.]

588

November 23.  
Georgia Office.

Benjamin Martyn to Duke of Newcastle acknowledging receipt of John Savy's letter dated at Cadiz 22 October 1737. The Trustees have since received another letter from John Savy dated at Falmouth 17th inst. giving a further account of the designs of the Spaniards against Georgia. Copies of both letters enclosed. The Trustees submit to you how a person who can give intelligence of such great importance to H.M.'s dominions may be brought up safely to London for his speedy examination. *Signed.*  $1\frac{1}{2}$  pp. *Enclosed,*

588. i. John Savy to Trustees for Georgia, Cadiz, 22 October 1737 (N.S.). I am married to Capt. Daniel Green's daughter in Charleston. Through debt I was obliged to go to Georgia. In June 1735 I sailed in the *Two Brothers*, Capt. William Thomson, in company with Mr. West and Mr. Sterling, the first vessel ever to come loaded from Georgia. In the English Channel, according to agreement, I was put on a French fishing boat who carried me to Dieppe, 19 August 1735. In Paris, being destitute, I applied to the Spanish Secretary who sent my letter (which was an account of the colony of Georgia) to Don Joseph Patino who brought me to Madrid to give a larger account and sent me away to Havana in order to go against Georgia. Last August the Spaniards sent 400 men for St. Augustine, and there is an order to the Viceroy of Mexico to send 1000 more. They have sent artillery, provisions and everything necessary to attack the said place in May next. I have surrendered myself to the captain of the *Grampus* who will carry me to the commodore of Gibraltar from where I shall proceed to London. I go here by the name of Miguel Wall but my name is John Savy, nephew to John Lewis Paulham in Tokenhouse Yard, exchange broker. *Copy.*  $2\frac{1}{2}$  pp.

588. ii. Same to same, Falmouth, 17 November 1737. In my letter of 22 October (N.S.) I forgot to acquaint you of a ship that went away 20 October for Havana with two more engineers for St. Augustine and also a new governor that arrived in the two ships that brought the soldiers from Spain to Havana; nor did I give you an account of several English and Dutch ships taken by the Spaniards. One thing material I had forgot which is an order for four ships of war to be sent to the West Indies to join other four that are there, and said ships are to alarm the coast of Carolina or to attack Port Royal in order to stop succours from going to Georgia; one of the two I am sure is their intention but cannot say which for certain. This was all to be put in execution by 1 May next. The *Grampus* did not go to Gibraltar; I shipped myself to Lisbon and there surrendered myself a prisoner. All I did with the

Spaniards was only to know their secrets and to make the use I now do of them. Should you of your charity save my life I shall acquaint you how to take St. Augustine or Havana in case of a war with them. *Copy. 3 pp.* [C.O. 5, 654, *fos.* 121-126d.]

**589** Grant by the Trustees for Georgia to Lieut.-Col. James Cochran of  
November 23. 500 acres of land in Georgia. *Entry. 1½ pp.* [C.O. 5, 670, *pp.* 334-335.]

**590** Same to Major William Cook of 500 acres of land in Georgia. *Entry.*  
November 23. ¼ p. [C.O. 5, 670, *p.* 338.]

**591** Same to George Preston junior of Valyfield in county of Perth,  
November 23. esquire, of 500 acres of land in Georgia. *Entry. ¼ p.* [C.O. 5, 670, *p.* 335.]

**592** Petition of Chaloner Jackson, Collector of Customs at the Bahamas,  
November 24. to Council of Trade and Plantations. Petitioner has been to South Carolina to collect evidence and is now ready to deliver the depositions of several witnesses to the truth of the allegations in his complaint. He prays for relief for himself and also for consideration of his fellow sufferers, the whole colony of the Bahamas, and especially H.M.'s garrison, some of whom are since deprived of their lives by colour of case. *Signed. 1½ pp. Endorsed, Recd. Read 24 November 1737.* [C.O. 23, 4, *fos.* 19, 19d, 21, 21d.]

**593** Observations submitted to the Council of Trade and Plantations by  
November 24. John Yeamans and others on the French proposals concerning trade in America. [See No. 552 ii. and iii.] Some of the most material points we put before you are passed over by the French, particularly the method of proceedings. We cannot ever agree that an intention only of carrying on illicit trade should be a sufficient cause to confiscate ship and cargo unless the intention is made manifest by some overt act: what constitutes an overt act we apprehend is sufficiently explained in articles 5 and 6 of the treaty of 1686. The French proposals do not touch upon the illicit trade between French and English at St. Lucia and at the neutral ports of St. Eustatius, St. Thomas and Curaçao: unless this is stopped other remedies will be of little consequence. The French governors should be forbidden to grant permission to trade contrary to the treaty, and English and French governors should be directed to give notice to one another of vessels carrying on illegal trade at neutral ports. As to the ports to be open to English vessels, we offer it as the sense of the merchants and traders that the treaty of 1686 ought not to be altered in this particular. But if any alteration be thought proper, we hope that the ports of Donna Maria Bay and Tiburon otherwise Allagatta or Irish Bay in St. Domingue be among those specified in the agreement. The French proposals make the freedom to enter other ports in case of necessity fruitless by the absurd condition of having leave in writing; the distress may be too urgent. And if the governor refuses permission it is really giving him notice to come and take the ship. The treaty of 1686 makes full provision for such accidents and we hope you will not advise any alteration. The repeal of such parts of the edict of 1727 as relate to British trade ought to be part of any convention to be made. We have already laid before you the sense of the merchants on the restitution of vessels taken under the Montserrat Act and the French edict. Governors on each side ought to have the same powers and be under the same restraints. *Signed, John Sharpe, John Yeamans, Thomas Butler senior, Richard Coope. 2½ pp. Endorsed, Recd., Read 24 November 1737.* [C.O. 152, 23, *fos.* 65-66d.]



**594** Council of Trade and Plantations to the King, transmitting the following. *Entry. Signatories*, Monson, James Brudenell, T. Pelham, R. November 24. Whitehall. Plumer. 1½ pp. *Enclosed*,

594. i. Draft of additional instruction to all H.M.'s governors in America prescribing form of prayer for the royal family. *Entry. 2½ pp.* [C.O. 324, 12, pp. 232-236.]

**595** President John Gregory to Council of Trade and Plantations, trans- November 25. mitting a representation of merchants, likewise laid before the Duke Jamaica. of Newcastle. I think it carries so much truth, reason and justice that

I can add nothing to it but my good wishes that it may have its proper effect. About four months since I sent you an information on oath referring to the *St. James* [See No. 395 i.]. What success it had I have not yet heard. These things represented at a great distance from the place and four or five months after the facts are committed may perhaps lose their force and make no great impression, but to us who have them immediately in view it is a terrible and shocking circumstance to see the effects of our labour and toil so violently torn from us in times of (an imaginary or at best of a pretended) peace, and not be at liberty to make ourselves reparation, no remedy but complaining which has not always proved effectual at the court of Madrid. But this may perhaps be a subject too great for me, and therefore shall not venture to go further in it.

There has been an exceeding great mortality among the inhabitants: I have been credibly informed there has been buried in the town of Kingston within these four months 500 white people, some indeed of them sailors but the greatest part dwellers ashore, though the whole number of the inhabitants of that place are not computed above 2000. We have likewise had the misfortune of losing two gentlemen of the council, Mr. Hals and Mr. Garbrand. The number of acting councillors is now reduced to four, Mr. Campbell, Mr. Mill, Mr. Concanen, and Mr. Philp; the first lives near 100 miles from the seat of government, the next is grown very infirm. If Mr. Trelawny delays coming there is an absolute necessity either to oblige those gentlemen who have withdrawn to act or supply their places. It is impossible for me upon the present footing to make a quorum, pursuant to H.M.'s instructions, which must consist of five. And as the dispute between the council and myself lies before H.M. I shall not presume to determine it myself unless anything very extraordinary lays me under that necessity. *Signed. 2 pp. Endorsed, Recd. 6 February, Read 7 February 1737/8. Enclosed,*

595. i. Capt. Benjamin Way to Edward Manning in Kingston, Jamaica; aboard *Loyal Charles*, Havana, 26 August (O.S.) 1737. On 5th inst., being 5 or 6 leagues northwest of Havana, we sighted a ship and sloop which came up with us. The ship carried English colours, but half a mile off hoisted Spanish colours. We were forced to bring to and were boarded and searched. They found nothing of the produce of New Spain which they sought. The ship has 24 guns and 350 men and the sloop 8 guns and 12 swivels with 100 men. They also boarded the *Dispatch*, Capt. Philip De La Motte. Parties were put on both of us and they brought us here under the ignominies of our colours at half-mast and the union downwards. For further account I refer you to the bearer, Dr. Wright. Everybody says we shall be condemned though we have nothing they object to but 20 tons of logwood. Here are now about 60 prisoners from the four English ships this privateer has taken. I hope Commodore Dent will send a ship to demand us. *Copy. 1½ pp.*

595. ii. Unaddressed letter from Capt. Henry Weare, Havana, 5 September (N.S.) 1737. I was taken by a *guarda-costas* 21 May (O.S.) six days after I left Port Royal, off Donna Maria Bay, and brought here. I sent you letters at South Keys and by St. Jago de Cuba, by both which I acquainted you of their proceedings with me and of

the money they found on board, for which I desired you would get a certificate from Messrs. Merewether and Manning for the gold and silver which I had aboard. This is the only method can prove to my interest in having the vessel or restitution. They have taken the *Loyal Charles* and *Dispatch*, as likewise a ship from St. Kitts bound for London in lat. 33 N.; so that we are four English and two Dutch prizes. They are now discharging me; they have sent away all my officers and people to Spain; they have in short deprived me of everything but what I stand in. I shall make the best way home or to Jamaica as soon as I can get my condemnation without which I can get no insurance. They have taken the boy Dick from me and it will be impossible for me to get him as he is a mulatto: was he a negro the factor could demand him paying 140 pieces-of-eight, which I would gladly do to get him again. *Copy*. PS. We are at loss which way to get away from this place so should be obliged if you would lay our case before the commodore who I hope will send us some relief. The ship from St. Kitts is called the *Prince William*, John Kinselagh, commander. *Endorsed*, as covering letter. 1½ pp.

595. iii. Representation of merchants of Kingston to President Gregory. We have advice of the Spaniards having taken three ships belonging to British subjects, the *Loyal Charles*, Capt. Benjamin Way, the *George*, Capt. Henry Weare, the *Dispatch*, Capt. Phillip De La Motte, all laden in this island either with the produce thereof or with money received of the agent of the South Sea Company for negroes legally sold and exported to Spanish settlements; all were bound for Great Britain. These captures affect in the highest degree not only us but the general welfare of this island, Great Britain and our colonies being our only markets and the only navigation thither being almost within sight of Spanish ports and always within reach of their cruisers. They seek relief. *Copy*. *Signatories*, Edward Becker, James Rodon, William Jones, Jona. Hurst, James Taylor, Ambrose D[uany<sup>1</sup>], Richard Moore, John Hamilton, James Graham, Gibson Dalzell, Henry Hutchinson, Robert B[anny<sup>1</sup>], Grisley and Sandford, Mark Davis, John Willson, Robert Turner, Henry Cruger, James Woodcock & Co., John Du Commun, John Danvers, Mainwaring and Winder, Alexander McFarlane, Matthias Philp, Nathaniel Lloyd, Samuel Dicker, Peter Organ and John Turnell. *Endorsed*, as covering letter. 1 p. [C.O. 137, 22, fos. 164-170d; copies of extract of covering letter and of enclosures in C.O. 137, 48, fos. 30-35d, 39-40d.]

## 596

November 28.  
Frederica.

Thomas Hawkins to Benjamin Martyn. I remitted the few occurrences from 6 November to the ensuing January by Mr. Dunbar in June.

There are differences of no kind subsisting among the people in commission here and no people live in greater harmony than we at present enjoy. I presume the information the Trustees received arose from a trivial dispute which happened in March last when, by a general desire of the inhabitants, Mr. Calwell and self proposed holding H.M.'s town-court, which Mr. Perkins opposed but soon joined our opinion to the general satisfaction of the people. Since which time we have been as regular as possible either in holding or adjourning as business [? offered<sup>2</sup>]. As this half-hour's dispute was of no prejudice to anyone and unattended with consequences I thought it needless to trouble the Trustees with matters of so little moment.

The following is the most particular account of Frederica. Of buildings: one [Sinclare<sup>3</sup>], formerly servant to Mr. Houston at Savannah, has built a small [timber house<sup>3</sup>];

<sup>1</sup> Edge of document missing, names supplied from C.O. 137, 56, fo. 69.

<sup>2</sup> MS. torn.

<sup>3</sup> MS. torn: supplied from *Georgia Records*, Vol. 22 (Part I), pp. 15-18.



William Moor, tanner, is about building and fitting up [conveniences<sup>1</sup>] for his trade; Henry Michel, a Dutch servant of the Trustees, and [Henry Myers<sup>1</sup>] a Dutch freeholder, have built them houses of squared timber logs; [I<sup>1</sup>] finished my house at my own expense in great measure. The brickmakers have about 40,000 bricks [of good clay<sup>1</sup>].

Of improvements of lands: the following cleared and planted their [home<sup>1</sup>] acres last season but the overdry autumn destroyed all expectations: Andrew Walset, Archibald Sinclair, Elisha Dobree, Miles Weston, Thomas Hird, John Smith, Levi Bennets, Thomas Walker, Michael Wilson, John Levally senior, Mark Hird, John Levally junior, William Addison, Daniel Parnell, Ambrose Telsnere, John Robinson, [Thomas Hawkins, Thomas Loop, Daniel Cannor, Thomas Prochter, Richard White<sup>1</sup>].

The following six have fenced, cleared and planted their [5 acres<sup>1</sup>]: William Germain, (blank) Davy, Henri Myers, William Abbot, (blank) Allen, [other name lost by damage to MS.].

The undernamed [ . . . <sup>2</sup>] on their 50-acre lots and have met with the same [success<sup>1</sup>]: [some names lost by damage to MS.], Davidson, Hird senior, [Hird junior, Abbot, . . . , Bennet<sup>1</sup>], Hawkins. Michel, a servant belonging to the Trustees, has been very industrious on his 20-acre lot as time and opportunity allowed him. (Blank) Griffith, John Welch, John Pauvry, Richard Lawly, Robert Paterson, William Forster, Harry Buckley and John Humble have no manner of improvements either in building or cleared lands more than palmetto or clapboard huts.

Deaths and births: we have had 13 born this year of which three have died within 14 days after their birth; we have buried but one since my last, vizt. Mrs. Harding, wife of John Harding, blacksmith to the Trustees' stores, who died in a consumption in June; at Darien, (blank) Cleark, suddenly; at St. Andrews, Amelia, scoutboats and of strangers, none. Assure their honours that my endeavours shall not be wanting in forwarding the inhabitants in their improvements by frequent admonitions and wish my strength would allow it by example, which at present I cannot having but two small boys. I have been as particular in my accounts as illness will admit and what I have neglected in this, please assure their honours shall be forwarded as soon as my health will permit. *Signed.* 2 pp. *Endorsed*, Recd. 12 April 1738. [C.O. 5, 640, fos. 12-13d.]

597

November 28.  
New York.

Lieut.-Governor George Clarke to Council of Trade and Plantations. A severe fit of sickness of which I am now recovering has left me so weak that I cannot make use of my own hand or hardly my own thoughts to say much. In a word, the assembly, having resolved to make good the deficiencies of the last revenue, are upon ways and means, which I hope they will go through before they break up, if their impatience, which the season of the year makes very great, will suffer them to sit long enough to do it. I hope by that time I shall be able to give you a more particular account of their proceedings. I am giving out the necessary orders to enable me to answer your queries sent to me by Mr. Popple. *Signed.* 1½ small pp. *Endorsed*, Recd. 5 January, Read 15 February 1737/8. [C.O. 5, 1059, fos. 34-35d.]

598

November 28.  
New York.

Same to Duke of Newcastle. Having at length brought the assembly to make good the deficiencies of the last revenue, they are now on ways and means both for that end and for providing a fund for the future support of government. I will not give you the trouble of a long narrative of the many hardships and difficulties I have met with ever since I have had the government;

<sup>1</sup> MS. torn: supplied from *Georgia Records*, Vol. 22 (Part I), pp. 15-18.

<sup>2</sup> MS. torn

but if I dared I would, now I have surmounted those difficulties and restored quiet to the province. I implore your protection that I may reap some fruits of my labours and under your influence be continued in the government. But as it is my greatest unhappiness to be unknown to you, I know not with what face I dare hope for it. I throw myself at your feet both for pardon and protection. My son will present this to you: I beg leave to recommend him to your notice and protection. *Signed.* 3 small *pp.* *Endorsed,* Recd. 9 January. [C.O. 5, 1094, *fos.* 33-34*d.*]

## 599

November 29.  
Whitehall.

Order of Council approving drafts of instructions to governors in America for including the names of Frederick, Prince of Wales, and other members of the royal families in prayers in public services and occasional offices. *Copy*, certified by James Vernon. 1 *p.* *Endorsed,* Recd. 28 March, Read 13 April 1738. [C.O. 323, 10, *fos.* 118-119*d.*]

## 600

November 30.  
Whitehall.

Duke of Newcastle to Lord Delawarr transmitting copy of letter from Lords Commissioners of Admiralty enclosing extract of one from governor of Gibraltar with several other papers giving an account that Edward Burrows, master of the sloop *Happy* of New York, took on board his said sloop at Safi a cargo of goods belonging to some Moors of Sallee at which place he was to deliver them; but instead of proceeding thither he put in at Gibraltar, being forced to it as he pretended by stress of weather, from whence he soon after sailed in the night with the said goods on board and is supposed to be gone off with them to the West Indies. As the British merchants at Sallee and the consul there who, as is alleged, was bound for the said Burrows will not only, it is feared, be obliged to pay for the said goods but be liable to other hardships and the trade of the king's subjects in those parts exposed to many inconveniences from the Moors in resentment for this fraudulent proceeding, you are to give proper orders for seizing and detaining the said Burrows with his vessel and cargo in case he should come into any port within your government till he shall have restored the said goods or the value of them and given a just satisfaction to the Moors for the loss and damage they may have sustained by their detention except upon the strictest examination it shall appear that the charge against him be not well founded; you will transmit by the first opportunity hither whatever you shall receive from the said Burrows on this account to be delivered to the Moors, sending me at the same time an account of your proceedings. *Entry.* 2 *pp.* *Enclosed,*

600. i. Admiralty Office, 30 September 1737; Lords of Admiralty to Duke of Newcastle, communicating the above case. *Entry.* *Signatories,* Charles Wager, H. Powlett, J. Campbell. 1½ *pp.*

600. ii. Extract of letter from Lieut.-General Sabine, governor of Gibraltar, to Sir Charles Wager, Gibraltar, 26 July 1737, communicating the above case. *Entry.* 1 *p.* [C.O. 324, 37, *pp.* 93-97.]

## 601

[The document provisionally allocated this number was subsequently found to refer to 1738 and will be found in the next volume.]

## 602

December 1.

Petition of Chaloner Jackson to Council of Trade and Plantations to have a copy of Governor Fitzwilliam's answer to the complaints now lodged against him. *Signed.* ½ *p.* *Endorsed,* Recd., Read 1 December 1737. [C.O. 23, 4, *fo.* 20, 20*d.*]



**603** Council or Trade and Plantations to the King recommending confirmation of an Act passed in Jamaica in May 1736 for introducing white people into the island. Neither we nor Mr. Fane have any objection thereto. *Entry. Signatories*, Arthur Croft, R. Plumer, T. Pelham, James Brudenell. 1½ pp. [C.O. 138, 18, pp. 273-274.]

**604** Samuel Eveleigh to Harman Verelst. I have lately received several letters from you and the enclosed I forwarded by the first opportunity to Mr. Causton at Georgia. By the last letter you sent me the *Daily Advertisers* which were to me very acceptable and which I forwarded to Mr. Causton in a short time after. I have by every opportunity from Bristol the Gloucester journals which (after perusal) I generally forward to Mr. Causton or others to Georgia, from whence Capt. Stuart is lately come who informs me that all is well there and that Capt. Thomson is arrived from Inverness with 115 servants about twelve days since, and that Col. Stephens was gone to Frederica. Herewith you will receive the *Carolina Gazette* all that are due to this day. Here is a letter come to Mr. Saxby from Mr. Tassells who came lately from Havana intimating that the Spaniards are making preparation for an invasion and (as he supposes) on Georgia. Here is a flying report that the French had attacked the Chickasaws in their garrison which they had undermined and destroyed, a great many of them; but I can find no foundation for it. If I should hear further I shall inform you thereof. *Signed*. 1 small p. [C.O. 5, 640, fos. 14-15d.]

**605** Thomas Hill to Attorney-General Ryder, transmitting a case relating to royal mines in Jamaica for his opinion thereon. *Entry*. ½ p. [C.O. 138, 18, p. 274.]

**606** Grant of gold and silver mines in Jamaica made in 6 Geo. I to Charles [December 2.] Long and others, one-fifth part of the proceeds clear of all charges being reserved to the crown, the grant to be void if a mine is not worked within three years. *Copy*. 3½ pp. *Endorsed*, Recd. from Mr. Sharpe. Recd., Read 2 December 1737. [C.O. 137, 22, fos. 150-152d.]

**607** Council of Trade and Plantations to Duke of Newcastle, enclosing the following representation on the proposals made by Mr. Amelot to Lord Waldegrave for adjusting disputes in the West Indies. *Entry. Signatories*, T. Pelham, R. Plumer, J. Brudenell, Arthur Croft. 1 p. *Enclosed*,

607. i. Same to the King. As the proposals delivered to Lord Waldegrave by Mr. Amelot are offered to explain the Treaty of 1686 everything ought to be expressed in the clearest manner: we cannot be of opinion that any ships ought to be liable to confiscation upon so uncertain an evidence as may be given of an intention to trade. We have already set forth in our representation of 21 April what we think should be deemed sufficient proof and we cannot see why the French may not come into it. We are of opinion all ports ought to be open to ships in distress agreeable to the Treaty of 1686: if any alteration be thought necessary we repeat what we formerly said that the ports of Donna Maria and Cape Tiburon in the island of St. Domingue should be added to the others named by the French as necessary to ships in their passage to and from Jamaica. We are likewise of opinion that the sending to the governor in order to obtain his leave in writing when ships in distress shall put into any ports will also be attended with great inconveniences: but if this should be thought proper, strict orders should be given on both sides that such leave shall not

be refused. The edict of 1727 should be repealed, and restitution of prizes on both sides be made where there has not been sufficient proof of illegal trade. *Entry. Signatories*, as covering letter. 3 pp. [C.O. 153, 16, fos. 66-67d.]

608

December 5.  
Frederica.

Robert Paterson to Harman Verelst. I have received no answer either to my letter to you of February last or to the letters that were therein enclosed. I had written to several to send me servants which I intended for the colony after I had got one for myself: if any come for me I beg you to get passage for them on account of the Trust. I have several friends in your neighbourhood who have opportunities of meeting with good people who would be willing to come on getting their passage discharged. By that means we would not be obliged to employ strangers who only stay with us for a time for what they can get. If this proposal should take, we could get strong, robust people fit for plantation work which was always the beginning and basis of all new places. We ought to think of the example of the Swiss who make their barren country produce more than the most fertile country of Italy. Many folios might be written on this subject very profitable for succeeding ages. I am apt to imagine that our agreeable country suffers much for want of its being truly represented for it is capable of being improved to infinite advantages; for a man with one good servant for four years might lay a lasting foundation for the comfortable support of a large family and live vastly more happy than the freeholders at home who wait with impatience for the end of a parliament to get new bribes for making members to oppress the country, a rare liberty. *Signed*. PS. From other hands no doubt you will hear that our town increases daily by births. I must beg you to cause forward the three annexed letters. 2 pp. [C.O. 5, 640, fos. 18-19d.]

609

December 5.  
London.

Peregrine Fury to Thomas Hill. As I shall very soon apply for the confirmation of an Act passed in South Carolina on 29 May 1736 for emitting and making current the sum of 210,000*l.* in paper bills of credit, which Act may possibly meet with some opposition from the merchants here and at Bristol, I send you herewith some printed reports on the state of the paper currency of the said province for the use of the Council of Trade and Plantations. *Signed*. 1 small p. *Endorsed*, Recd. 5 December, Read 7 December 1737. [No enclosure found.] [C.O. 5, 366, fos. 27-28d.]

610

December 5.  
Frederica.

Thomas Hird to James Oglethorpe congratulating him on his promotion to chief command over Carolina and Georgia. The chief difficulties are shortness of provisions, last summer's crop being entirely destroyed by vermin or drought; our hogs are chiefly run wild for want of food. I find we have been much misrepresented to you. I never see any appearance of mutiny amongst us. All I can suppose to have given birth to this report was a difference in opinions in March last about holding a town-court then or deferring it longer, but by the accord of our three bailiffs and to the satisfaction of the whole town it was held on 25 April last and continued every three months since in good order although our disputes are but small and chiefly determined before court day. This harmony pray God continue amongst us. I hope Mr. Horton's letters by this occasion will give you entire satisfaction. We obey his orders with pleasure which are conducing to our safety and advantage, the which no well-wisher to this place can or ought to refuse.

I return you my most hearty thanks for your care and goodness in forwarding my affairs in England. I wish my friend Mr. Gilding could finish them, though to some disadvantage, that we might have a return to enable self and son to buy livestock which



we are in great want for. I will assuredly use my utmost endeavours to promote a good understanding amongst us agreeable to your commands as it has hitherto been my chiefest care. Several of our people are busy in building houses, others improving on their lots. The brickmakers are constantly making bricks of a much better composition than formerly and we all enjoy perfect health, preferably I believe to any other part of Georgia. Mr. Horton informs me that 15 of those Scottish servants lately arrived at Darien remain to the use of the Trustees: it would be a great favour done me if you would spare me and son each of us one on our credit to assist us in our improvements, my own time being much interrupted in public business: such are watch duties and other incidents belonging to my office. I wish you a safe and speedy arrival in this colony. *Signed. 2 pp. Endorsed, Recd., Read 12 April 1738. [C.O. 5, 640, fos. 16-17d.]*

## 611

December 7.  
Palace Court.

Minutes of Common Council of Georgia. Received the following certified accounts: Messrs. Woodward & Flower, 3 August 1737, for 266*l.* 14*s.* 7*d.* sterling for provisions and necessities; Samuel Montaigut & Co., 17 August 1737, for 285*l.* 3*s.* 9*d.* sterling for provisions and necessities; Mr. Eveleigh, 9 September 1737, for 197*l.* 13*s.* 4*d.* for provisions and necessities; Messrs. Minis & Salomons, 7 October 1737, for 393*l.* 18*s.* 4*d.* for provisions and necessities; Robert Ellis, 6 August 1737, for 494*l.* 1*s.* for provisions and necessities; Robert Williams & Co., 8 August 1737, for 48*l.* 15*s.* 4*d.* for provisions and necessities. Read letters of advice from Mr. Causton of certified accounts of Messrs. Minis and Salomons for 78*l.* 9*s.* 6*d.* sterling for provisions and necessities, and of William Clay for 149*l.* 16*s.* 2*d.* for provisions and necessities. Ordered, that the said certified accounts be paid.

Resolved that 500 whole deal boards be bought and sent to Georgia for building the church at Savannah. Mr. Burrington (late governor of North Carolina) attended and desired the Trustees would pay to him here in England such sums as may be due to him in Carolina and order their officers in Georgia to receive the same sums there in lieu of what may be paid to him here; resolved, that Governor Burrington be acquainted that his request is inconsistent with the method the Trustees have prescribed for their conduct. Ordered, that a bill drawn by Thomas Causton on James Oglethorpe for 20*l.* dated 10 August 1737 in full of 200*l.*, ordered by the Common Council 29 April 1737 to be placed to the account of Mr. Causton's four years' service, be paid.

Resolved, that a grant of 500 acres of land be made to Capt. William Wood recommended by Lieut.-Col. Cochran; seal to be affixed, secretary to countersign and sign memorial of the same to be registered with the auditor of the plantations. Ordered, that a draft be made on the Bank of England for 2583*l.* for payment of above certified accounts (1914*l.* 12*s.*) and for residue and freight of the Irish cargo (668*l.* 8*s.*); signed the same. Read, a memorial of Hugh Anderson desiring a lot of 50 acres for his younger son, a minor; resolved, that a lot of 500 acres be granted if he desires it. 4 *pp.* [C.O. 5, 690, *pp.* 119-122.]

## 612

December 7.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Dr. Hales, 5*l.* 5*s.* benefaction of a gentlewoman towards the support of orphans in Georgia or the missionaries there. Read, several letters from Mr. Williamson at Savannah to the Trustees complaining of Rev. John Wesley's having refused the sacrament to Mrs. Sophia Williamson with Mrs. Williamson's affidavit thereupon, and two presentments of the grand jury of Mr. Wesley for the said refusal and for several other facts laid to his charge. Ordered, that copies of the said letters and affidavit be sent over to Mr. Wesley desiring his answer to the same as soon as possible; and that a letter be sent to Mr. Williamson to acquaint him of the said copies being sent

to Mr. Wesley and that if he has anything new to lay before the Trustees he should show it first to Mr. Wesley and then send it over to them, and that the Trustees think he should not have made his application to the world by advertising his complaints before acquainting the Trustees with them. 1½ pp. [C.O. 5, 687, pp. 48-49.]

**613** Robert Millar to [Trustees for Georgia<sup>1</sup>] notifying them of his intended  
 December 7. departure for Vera Cruz and Mexico in the next few days, following  
 Kingston. a long and serious illness. No expense will be begrudged in the purchase of a valuable quantity of julap roots fit for cultivating. *Signed.* 2 small pp. [C.O. 5, 640, fos. 20-21d.]

**614** Memorial of Governor Alured Popple to Council of Trade and  
 [December 7.] Plantations. The inhabitants of Bermuda have lately been at such expense in repairing their fortifications that they cannot buy ammunition. It appears that there are but two barrels of powder in H.M.'s magazine there and those so damaged as to be not fit for use. There are neither match, cartridge paper, ladles, powder horns, priming wires, partridge nor langrel shot, and very few grenado shells in the magazine. Memorialist hopes a sufficient supply will be sent, none having been sent since 1701. 1½ pp. *Endorsed, Recd., Read 7 December 1737. Enclosed,*

614. i. Memorandum of sundries wanting in H.M.'s magazine at Bermuda, 29 October 1737. *Signed,* S. Smith, storekeeper. 1 small p.

614. ii. Memorandum of ammunition wanting in same, 29 October 1737. *Signed,* as preceding. 1 small p. *Endorsed, Recd., Read 8 December 1737. [C.O. 37, 13, fos. 21-24d.]*

**615** James Oglethorpe to Andrew Stone enclosing the following. I hope  
 December 8. his grace will be so good as to allow the alteration desired. *Signed.* 1 p.  
*Enclosed,*

615. i. Samuel Wragg to James Oglethorpe; 1 November 1737. Having seen a copy of the Duke of Newcastle's letter to the lieutenant-governor of South Carolina in relation to the money to be paid me for transporting and the demurrage due for the Palatines by the *Three Sisters* now sailed for that province, I must acquaint you that the same is not sufficient to procure the payment agreeable to my proposal and agreement when I ordered the ship for Carolina instead of Pennsylvania, and I expected an absolute order for payment of the sum stipulated. You are well acquainted with the proceedings of assembly in that province and how ready they are to take hold of any the least pretence to evade parting with money, and as his grace has left them at liberty to make any reasonable objection I am well satisfied they will not want excuses for not paying any money for this service. Wherefore I must beg you will procure me in lieu of this letter a proper and sufficient one answerable to my agreement and just expectation for the heavy charge I have been at from these people. *Signed.* PS. Extract of Appropriation Law and account of further expenses enclosed. 1 p.

615. ii. Further expenses for the Palatines. Passage of 29½ head deserted etc. so that so many less proceeded in the ship at 5*l.* 5*s.*: 154*l.* 17*s.* 6*d.* Demurrage 14 September to 12 October at 10*l.* a day: 280*l.* Total, 434*l.* 17*s.* 6*d.* ½ p.

615. iii. Extract of Appropriation Law stating the uses to which public moneys of South Carolina may be applied. ½ p. [C.O. 5, 654, fos. 115-117d; 127-128d.]

<sup>1</sup> *Egmont Diary*, II, 503.



**616** Council of Trade and Plantations to the King. We have received a  
 December 8. memorial from Governor Popple representing that the inhabitants of  
 Whitehall. the Bermuda Islands have been at so great charge in repairing their  
 fortifications that they are not now able to buy enough ammunition to render the forti-  
 fications useful. Mr. Popple has laid before us accounts from the storekeeper of the  
 magazine there by which it appears that there is no powder, several other stores wanting,  
 and that the magazine has not been supplied from this kingdom since 1701. We represent  
 that it will be for your service that the magazine be immediately supplied with 50 barrels  
 of powder, 50 skeins of match and 16 reams of cartridge paper and that the governor be  
 directed on arrival in Bermuda to send over a state of the magazine there and an account  
 of what other stores are wanting. *Entry. Signatories, T. Pelham, James Brudenell, Arthur  
 Croft, R. Plumer. 2 pp. [C.O. 38, 8, pp. 210-211.]*

**617** President John Hamilton to Alured Popple. I received your letter of  
 December 8. 24 August last with the circular queries, in obedience to which I  
 Amboy. ordered the sheriffs and clerks of the several counties to prepare lists  
 of all the inhabitants of each county; as soon as they are finished I shall transmit them  
 and at the same time give as particular an account of New Jersey as I can. I have received  
 two letters from my lords commissioners, one of 18 February relating to the disputes  
 between Massachusetts and New Hampshire, and did all I could to obey them. But there  
 are so few councillors and those that are being at that time in their harvest I could not  
 possibly prevail upon any of them to go nor indeed was it proper, since there are but  
 four that can meet, to spare one out of that number. The other letter is of 22 June  
 acquainting me H.M. had appointed Lord Delawarr governor of New York and New  
 Jersey. I have nothing to write but to inform their lordships the province is in perfect  
 peace and tranquillity and the people infinitely obliged for their lordships' most favour-  
 able report in their behalf for a separate governor. *Signed. 2½ small pp. Endorsed, Recd.  
 17 January, Read 15 February 1737/8. [C.O. 5, 973, fos. 107-108d.]*

**618** Additional instructions to Governors of Barbados, Massachusetts,  
 December 9. Bahamas, Nova Scotia, North Carolina, Virginia, South Carolina,  
 New Hampshire, Bermuda, New Jersey, Georgia, New York, Jamaica and Leeward  
 Islands, directing the forms of prayer for the royal family to be used in the colonies.  
*Entry. 5 pp. [C.O. 324, 37, pp. 98-102.]*

**619** Commissioners of Customs to Duke of Newcastle. Robert Arbuthnot,  
 December 10. collector of H.M.'s customs at Antigua, has lately purchased of the  
 Custom-house, crown several lands in Tortola, being part of the estate of William Hill  
 London. formerly collector at that place which were seized by extent towards  
 satisfying the crown's debt. The said Arbuthnot having in the enclosed memorial  
 represented the great difficulties he meets with in getting possession of the said lands and  
 praying your orders to the governor of the Leeward Islands and the commanding officer  
 of Tortola to give him immediate possession, we desire, as Arbuthnot has paid the  
 crown a valuable consideration for the said lands, that you will give such orders. *Signed,  
 Robert Corbet, J. Evelyn, Robert Baylis, R. Chandler. 1½ pp. Endorsed, Copy sent to  
 Governor Mathew, 7 January 1737/8. Enclosed,*

619. i. Memorial of Robert Arbuthnot to Commissioners of Customs; London,  
 7 December 1737. The difficulties mentioned in covering letter are described in some  
 detail. *Signed. 2½ pp. [C.O. 152, 44, fos. 128-131d.]*

620

December 10.  
Charleston.

Thomas Stephens to Harman Verelst, notifying him of the *Minerva* having run aground a mile south of Charleston bar, though eventually got off after 26 hours. All the letters and the small box directed to Mr. Causton are safe; the other goods fare as other people's, I cannot say anything of them till they are inspected. Capt. Nicholson was not to blame. The *Two Brothers*, Capt. Thomson, had like to have fared worse than *Minerva* on the same spot, had she not luckily met with a skillful pilot when aground: lucky she was in meeting with a good one for I fear that some here are not so. *Signed*. PS. Please advise my friends of my being here for I have no time. 2½ pp. [C.O. 5, 640, fos. 22-23.]

621

December 10.  
Charleston.

President William Bull to Council of Trade and Plantations. Lieut.-Governor Broughton died 22 November, and President Middleton 6 September, by which means the administration of the government devolves on me as eldest councillor, in which station and all others I shall always endeavour to discharge my duty to H.M. And as there are two vacancies in council by the death of the gentlemen abovenamed, I beg leave to recommend Colonel Joseph Blake, one of the late Lords Proprietors, and Charles Pinckney, speaker of the present commons house of assembly, as gentlemen distinguished in this province by their integrity, fortune and ability. *Signed*. ½ p. *Endorsed*, Recd. 3 February, Read 8 February 1737/8. [C.O. 5, 366, fos. 42-43d.]

622

December 10.  
Charleston

Same to Duke of Newcastle. [*In substance same as No. 621.*] *Signed*. 1 p. *Endorsed*, Recd. 7 February. [C.O. 5, 388, fos. 164-165d; duplicate, endorsed, Recd. 12 February, at fo. 166.]

623

December 10.  
St. Christopher's.

Governor William Mathew to Alured Popple. The 25th past I received yours of 11 August and immediately dispatched to the lieut.-governor of Antigua and to the speaker of the assembly directions for their transmitting to me as soon as possible copies of all the evidence that was before the council and assembly upon their passing the bill for attainting Benjamin Johnson and William *alias* Billy Johnson. I have not yet received them and must therefore wait another opportunity for transmitting them. Enclosed is the only public paper I have to send. *Signed*. 1 small p. *Endorsed*, Recd. 23 January, Read 15 February 1737/8. *Enclosed*,

623. i. Abstract of register of births, marriages and burials in the parish of Trinity Palmeto Point in St. Christopher's, 30 October 1736 - 30 October 1737. Born 20, marriages 2, burials 9. *Signed*, John Merac, clerk. 1 small p.

623. ii. Same, in parish of St. Thomas Middle Island in St. Christopher's for same period. Born 25, marriages 8, burials 32. *Signed*, as preceding. 1 small p. [C.O. 152, 23, fos. 124, 124d, 126-127d, 130, 130d.]

624

[December 12.]

Representation of Company of Merchants Adventurers of Bristol to Council of Trade and Plantations. It appears [*by* No. 552 ii and iii above] that great alterations are proposed in the treaty of 1686 regulating French and British trade in America. What would be most beneficial to us would be the repeal of the edict of 1727 and no alteration in the treaty of 1686. But should any alteration be thought necessary, we entreat you to advise that the full force of the 5th and 6th articles of that treaty be preserved. *Seal*. 1 p. *Endorsed*, Recd. 12 December, Read 14 December 1737. [C.O. 152, 23, fo. 67, 67d.]



625

December 13.  
Georgia Office.

Harman Verelst to Capt. James Gascoigne. The Trustees thank you for your letter to Mr. Martyn of 10 August last and enclosures and very much approve your conduct. It is a great satisfaction to them that so zealous and prudent an officer as yourself has the protection of their colony. As succours are now going from England to strengthen the colony by land, the Trustees hope they will arrive soon enough to prevent the designs of the Spaniards. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 47d.]

626

December 14.  
Georgia Office.

Same to Thomas Causton by the *Content*, Capt. George Thurnam. The Trustees have received your journal from 25 April 1737 to 24 May, your daybook with the several copies of letters and papers therewith sent, your letter of 22 August with cashbooks from 2 November 1736 to 30 June 1737; but your cashbooks from the last of July 1736 for August, September and October 1736 have never been received, nor your diary mentioned in your said letter. Please send them or duplicates.

The Trustees, on reading your journal, approve of your conduct as you have there stated it and acquaint you that you are not obliged to take notice of any persons alleging they have a commission from the Trustees without their producing it to be recorded. Herewith you receive another copy of the agreement with Mr. Bradley whereby you plainly see he has no powers given him to act as you represent him to have done in the case of the cattle, and the Trustees have written to him that he has no other charge of the cattle but under your order and that you are to communicate the Trustees' orders to him, which he is to obey; which orders are that you take from him what cattle are necessary for the settlers at Highgate and such other settlers to whom the Trustees are under any promise to supply. But at the same time you are to leave Mr. Bradley sufficient cattle for the improvements of the Trust farm. It was very right in you to prevent the taking up land without the Trustees' grant and you are to take all proper measures to continue to prevent the like in any the least instance. As to Capt. Mackay's use of negroes, the Trustees direct that the Act for prohibiting the use of negroes be duly put in execution; and in that Act there are sufficient powers and penalties enacted to put an end to such proceedings of Capt. Mackay, for no one is to be spared that will not obey law nor anyone indulged in their endeavours to evade the law.

The several bills you drew on General Oglethorpe to enable you to settle your new farm are now all come to hand amounting to 200*l.* sterling, which the Trustees ordered to be paid in consideration of your services in the colony from February 1732 as store-keeper and one of the magistrates. The following advices of and certified accounts have been received by the Trustees amounting to 3293*l.* 19*s.* 4*d.* sterling, vizt. (dates when certified) 21 July 1737, Samuel Montaignut & Co., 76*l.* 5*s.* 10*d.*; 23 July, Francis Johonnot, 381*l.* 4*s.* 5*d.*; 26 July, Benjamin Appelbe, 148*l.* 2*s.* 11½*d.*; 1 August, William Bellinger, 147*l.*; 3 August, Messrs. Woodward & Flower, 266*l.* 14*s.* 7*d.*; 6 August, Robert Ellis, 494*l.* 1*s.*; 8 August, Robert Williams & Co., 48*l.* 15*s.* 4*d.*; 10 August, Messrs. Minis & Salomons, 459*l.* 14*s.* 9½*d.*; 17 August, Samuel Montaignut & Co., 285*l.* 3*s.* 9*d.*; 22 August, Samuel Lacy, 166*l.* 19*s.* 4*d.*; 6 September, William Clay, 149*l.* 16*s.* 2*d.*; 9 September, Samuel Eveleigh, 197*l.* 13*s.* 4*d.*; 7 October, Minis & Salomons, 472*l.* 7*s.* 10*d.* These accounts being for provisions and necessaries supplied the colony, and the Trustees having sent you since Capt. Dymond's arrival with 1000*l.* in sola bills the sum of 2450*l.* more in sola bills, vizt. in August 1737, by Capt. Shubrick, 650*l.*, by Capt. Reid, 1000*l.*; in September, by Capt. Hewitt, 100*l.*; in October, by Capt. Nickleson, 400*l.*; in November, by Capt. Ayers, 300*l.*; and they have now sent you 200*l.* more in sola bills of 1*l.*, A.2201-2400, and they are the last supply they can send you until a new grant is made

by the Parliament, which 200*l.* with the former sent you as above and the before-mentioned accounts certified since midsummer last amount in the whole to 5943*l.* 19*s.* 4*d.* The Trustees therefore now rest satisfied that you are fully supplied to answer the demands abroad to Lady Day next according to the established allowances and orders sent you, which demands you are to discharge with the said provisions, necessaries, and sola bills, without certifying any more accounts, for the Trustees will not nor cannot pay them. And they are resolved that no other method shall be used of supplying the demands abroad but by their sola bills, to prevent any larger purchases of provisions and necessaries being made or any larger expenses being at any time accrued than there are sola bills in the colony to pay for and answer; and thereby preserve their own credit and that of the colony at the same time in having the expenses thereof regulated agreeable to what the Trustees shall from time to time appropriate by sending their sola bills to answer.

In the Trustees' letter of 23 March last you were directed to expend 16*l.* sterling in building the minister's house and a schoolhouse at New Ebenezer exclusive of the expense of hogs and poultry. But Mr. Bolzius by his letter of 28 July last writes that you told him some of the 16*l.* should be applied for buying the hogs and poultry, which sure must be some mistake in him, for the letter makes the expenses distinct the one from the other, the benefactor having enabled the Trustees to do both. And the Trustees now direct you that the said 16*l.* be increased to 30*l.* to be expended in building the said houses as Mr. Bolzius shall approve of, besides the charge of the hogs and poultry which is no part of the said 30*l.* nor was intended any part of the 16*l.* And at Mr. Bolzius's request and General Oglethorpe's acquainting the Trustees of the rules prescribed to the people at Old Ebenezer before their removal, the Trustees have consented that the crop got at Old Ebenezer at their removal should not be accounted as part of their reduced allowance but shall remain to their own use over and above the said reduced allowance to September last.

The friends of John Stonehewer at Skidoway have applied to the Trustees for leave for his alienating his 50-acre lot and for his return home, his said friends being desirous to provide for him in England and his wife being here and unwilling to go to him, which the Trustees have consented to on Stonehewer's producing a proprietor for such lot not having lands in Georgia in possession or remainder, whom William Stephens shall approve of. The queen being dead, the Trustees have received an instruction from the king to cause his order to be published in Georgia for praying for their royal highnesses, Frederick Prince of Wales, the Princess of Wales, the Duke, the Princesses and all the royal family, and herewith you receive a copy thereof that the same may be complied with accordingly by all the ministers of the several congregations in Georgia. *Entry.* 3½ pp. [C.O. 5, 667, fos. 48-49*d.*]

627

December 14.  
Georgia Office.

Harman Verelst to William Williamson at Savannah. The Trustees received your letter of 9 September last with the affidavit and copies of papers therewith sent relating to John Wesley and have ordered copies thereof to be sent to him for his answers thereto, that the complaint and answer may be considered at the same time. It is very right that the Trustees should be acquainted with every proceeding but very wrong in you to order the presentments of the grand jury and your wife's affidavit to be printed, which is taking a remedy and appealing to the world at the same time that you are applying to the Trustees of the colony to consider your case. If you shall have any further complaint to send for the Trustees' consideration either against Mr. Wesley or anyone else, let the party complained against have a copy, that they may at the same time send their defence. For the Trustees cannot determine on



hearing one side only. I delivered your letter to your uncle and sister as you desired. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 47d.]

**628** Same to William Stephens, communicating the 'Trustees' decision  
December 14. about John Stonehewer and their orders for prayers for the royal  
Georgia Office. family contained in No. 626. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 49d.]

**629** Same to Rev. John Martin Bolzius at Ebenezer. Your letters to Mr.  
December 14. Vernon of 28 June and myself of 28 July last were read to the Trustees;  
Georgia Office. and this acquaints you that by a letter of 17 June last sent by way of  
Charleston to Mr. Causton by the *Seaford*, the third transport of Salzburghers were  
ordered the supply of a cow and a calf to every five heads. The Trustees are sorry to  
hear there is danger of the people's losing their crops this year and if there should  
happen so general a calamity you may be assured the Salzburghers will not be excepted  
from partaking of such general assistance as will be necessary on such an unhappy  
occasion. When the people's farms are run out at New Ebenezer you will then see how  
each family will possess a proportion as near as may be of some good land in their  
respective lots whereby they may raise their subsistence from. But as to have leave to  
exchange the bad garden-lots with better grounds, the Trustees cannot alter their plots  
but must leave it to the possessor's judgement to first cultivate that part of his lot which  
is good land; and if part of a 50-acre lot be good, whether laid out for the garden or the  
farm, such good land must be taken as it falls in the setting out. This removal to New  
Ebenezer was at the request of the Salzburghers granted and an indulgence given to  
none else in the colony. For were the Trustees to enter into or give way in the least to  
suffer the exchanging of lands, there would be no end of applications. [*The orders given  
in No. 626 relating to benefactions to the Salzburghers at Ebenezer are here repeated.*] These  
concessions the Trustees hope will fully satisfy and encourage the Salzburghers to that  
industry and content which naturally flow from a satisfied mind. *Entry.* PS. Mr. Vernon  
sends his service to you and Mr. Gronau.  $1\frac{1}{2}$  pp. [C.O. 5, 667, fo. 50, 50d.]

**630** Same to John Wesley at Savannah, enclosing copy of letter lately  
December 14. received from William Williamson at Savannah and an affidavit made  
Georgia Office. by his wife. The Trustees hope that you will be able to justify yourself,  
having in the meantime suspended their judgement until they receive your answer that  
they may consider the complaint and answer at the same time. *Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667,  
fo. 50d.]

**631** Same to John Pye at Savannah. I received your letter of 29 June last  
December 14. and am glad you like your situation. I am sure Mr. Causton will supply  
Georgia Office. you as reasonably with either dowlass or thin clothing on account for  
your salary as it can be had. You will want no reasonable encouragement. *Entry.*  $\frac{1}{4}$  p.  
[C.O. 5, 667, fo. 51.]

**632** Same to William Bradley at Savannah. The Trustees are very much  
December 14. surprised to hear that you take upon you an authority which you are  
Georgia Office. in no manner entrusted with, vizt. the care of all their lands, and that  
you pretend to engross the cattle as if you had a title to serve yourself first to the detri-  
ment of others who have the Trustees' orders for cattle. The charge of the cattle under  
your care is under the orders of Mr. Causton relating to the disposition of them; he is

to communicate the Trustees' orders to you, which you are to obey. It is your's and everyone's duty in the colony to act in their proper stations and mind their own business to raise a maintenance for themselves and families and by a peaceful and orderly behaviour to be quiet with each other and enjoy the fruits of their labour with comfort which will best conduce to their own happiness and the favour of the Trustees. With respect to your own immediate dependence on the Trustees, they have ordered me to send you a copy of your agreement. They have personally to you very kindly given favourable orders relating to you, and they hope for a suitable return by being easy under government and setting a good example to others and applying to the Trustees in writing yourself when anything material shall require it. *Entry.*  $\frac{3}{4}$  p. [C.O. 5, 667, fo. 51.]

633

December 14.  
Georgia Office.

Same to John Stonehewer at Skidoway, giving permission to alienate a 50-acre lot on condition of producing a proprietor who has not already lands in Georgia and is approved by Mr. Stephens. *Entry.*  $\frac{1}{2}$  p.

[C.O. 5, 667, fo. 51d.]

634

December 14.  
Georgia Office.

Same to Hugh Anderson at Savannah, granting his request for 500 acres of land in Georgia for a younger son. Your own lot will descend to your eldest son, the 500 acres therefore cannot be granted to him.

*Entry.*  $\frac{1}{2}$  p. [C.O. 5, 667, fo. 51d.]

635

December 15.  
Boston.

Governor Jonathan Belcher to Duke of Newcastle. As the Plantations are more immediately under your care I know it to be my duty to apply to you as governor of Massachusetts and New Hampshire to claim your justice and protection while my friends inform me that some persons lately gone from hence have been making their utmost efforts to have the king's royal commission to me superseded and that they have endeavoured this by getting complaints into your office with design to have them acted upon without my being served with copies and having time given to answer. This shows a consciousness of guilt in my adversaries and that they would willingly stab me in the dark. But I have a great dependence on your justice and honour that you will suffer no such thing to be practiced on the king's servants against whom no complaint has ever been made out and whom the king has hitherto justified in the whole of his administration. I am told Col. Dunbar has taken a vast deal of pains to malrepresent me: I only wish for an opportunity to make answer to anything he can say, and I have no doubt to make it appear that falsehood and malice are the basis of his whole attempt. Instead of giving you a trouble of this nature it would be well for him he could wait on you and make out one single service he has ever done for the crown in this part of the world. Instead of that he has acted so wildly and imprudently as has tended to alienate the affections of the king's subjects. When the king honoured me with the government of these provinces I quitted all other ways of life to serve H.M. to the utmost of my power and I have made it my constant care to adhere to H.M.'s instructions and to support his authority and honour as well as to have a tender regard to the rights and liberties of his subjects. And I am told one great reason my enemies have pleaded for my removal is that I have been in some time; that should seem a much better reason for the continuance of a good servant than for his removal, for the longer he is in office the better qualified he will be for the king's service. And if a governor must be changed to satisfy the disgust and malice of every private person the king's ministers may be followed with solicitations of this kind every



day. I therefore pray that I may be continued in the governments and also that you would cast a favourable eye on the bearer, my son Mr. Belcher of the Temple. *Signed.* 7 small *pp.* *Endorsed*, Recd. 30 January. [C.O. 5, 899, *fos.* 294-297*d.*]

636

December 15.  
Whitehall.

Order of Committee of Privy Council for Plantation Affairs directing that a copy of the report made to the Council of Trade and Plantations by the Attorney- and Solicitor-General on the dispute between South Carolina and Georgia relating to the Indian trade should be transmitted to this Committee. *Signed*, Temple Stanyan. *Seal.* 1 *p.* *Endorsed*, Recd., Read 19 December 1737. *Marginal note*, A copy of the said report was sent to the Council Office, 19 December 1737. S.G., G.B. [C.O. 5, 366, *fos.* 29-30*d.*]

637

December 15.  
Charleston.

Thomas Stephens to [Harman Verelst<sup>1</sup>]. The ship being detained till now gives me an opportunity of writing you a line with more deliberation than mine of 10th. The smallarms have received little damage, the gunpowder more, several casks having a good deal of wet powder in them, though in the whole I hope the loss will not be great, for the herrings are judged to be hardly the worse for what has happened. To-morrow I shall sail with it all for Savannah with Mr. Amory and Gibbs's families. I am afraid Wathy's thoughts are bent too much upon something else from an evil report brought upon that good land by one that came passenger with us. Indeed it had such an effect with them all that I found them somewhat staggered in their belief and that to such a degree that both masters and servants did say at one time that they would not go further than this; but I prevailed with them at last to go and see the place lest they should be imposed upon and I do not despair of Mr. Wathey's recovering his senses too. John Rigby *alias* Platrier has been very troublesome and very busy in dissuading them from their good purposes. It seems he is kin to Capt. Rigby that commands the *Normington* and was one of his mates. I find that he is a sailor and acted as such when aboard the *Minerva*. The bedding for a servant and things mentioned in mine of 10 October were afterwards found on board though now they are lost in the hurley-burley. People are big with hopes of seeing the general here shortly. *Signed.* 1½ small *pp.* [C.O. 5, 640, *fo.* 24, 24*d.*]

638

December 17.  
New York.

Lieut.-Governor George Clarke to Duke of Newcastle. Yesterday the assembly broke up for this session after having made provision for the payment of the deficiencies of the last revenue and laid a foundation for a future one by striking paper money (which was much wanted) to be let out on interest, and by giving some smaller duties than formerly on the import of merchandise. But the application of those funds for the future support of government they have referred to the next sitting. This morning I received an express from Albany acquainting me that William Dick, captain of one of the independent companies posted there, died 10th inst. Mr. Nicholl, captain-lieutenant of the company commanded by the late governor, having in the most earnest manner desired my leave to go home on this occasion, I have given it him, hoping it may receive your approbation. He has served long in the army, the greatest part of the last war in Flanders and many years here, where he has behaved himself very well and presumes to hope from his long services for your protection, to which I recommend him. *Signed.* 2 small *pp.* *Endorsed*, Recd. 6 February by Lieut. Nichols. [C.O. 5, 1094, *fos.* 38-39*d.*]

<sup>1</sup> Inferred from first sentence.

## 639

December 17.  
Boston.

Governor Jonathan Belcher to Council of Trade and Plantations, transmitting proceedings of council and house of representatives of New Hampshire in the two last sessions, 4 August to 20 October, in which time H.M.'s commissioners sat on the affair of the boundaries between the two provinces and gave time to both assemblies to be heard at large; and finally the assembly of Massachusetts entered their appeal to H.M. in Council from the judgement of the commissioners. But you will find by the enclosed records that the council and representatives of New Hampshire could not agree to an appeal or to the raising of money for further prosecuting the affair; so, agreeable to the desire and advice of the council, I prorogued the general assembly of New Hampshire. I enclose copy of a conference held by my order in October last at Fort Dummer (on the western frontiers of this province) with the Cagnawaga Indians (commonly called the French Mohawks) which I hope has strengthened their friendship and will tend to the better security of H.M.'s good subjects of this province. The assembly is now sitting and I send you the journal so far as it is printed. They have joined to their stated agent (Mr. Wilks) one Mr. Quincey of H.M.'s council and one of the justices of the superior court for this province, as also Mr. Partridge of London; and these three gentlemen have it in their special charge from the assembly here to prosecute the affair of the boundaries before H.M. in Council, to which I wish a happy issue that the two provinces may for the future live in peace and good neighbourhood. *Signed*. 4 small *pp*. *Endorsed*, Recd. 19 January, Read 10 February 1737/8. *Enclosed*,

639. i. Report of conference with the delegates of Cagnawaga Indians held at Fort Dummer in October 1737. Pledges of a renewal of the covenant of peace and unity made at Deerfield two years ago were exchanged. *Copy*, certified by J. Belcher. *Signatories*, John Stoddard, Eleazer Porter, Thomas Wells, Joseph Kellogg, Israel Williams, commissioners. 4 small *pp*. *Endorsed*, as covering letter.

639. ii. Proceedings of council and house of representatives of New Hampshire, 10 August – 2 September 1737 and 13 October – 20 October 1737. *Copy*, certified by J. Belcher and sealed by Richard Waldron, secretary. 17 small *pp*. *Endorsed*, Recd. 19 January 1737/8. [*See also* 640 iii.]

639. iii. Proceedings of general court of New Hampshire for same dates as preceding. *Copy*, certified and sealed as preceding. 6 small *pp*. *Endorsed*, as preceding. [*See also* 640 i.] [C.O. 5, 880, *fos*. 91–112d.]

## 640

December 17.  
Boston.

Same to Duke of Newcastle. [*In substance same as* No. 639.] *Signed*. 4 small *pp*. *Endorsed*, Recd. 7 March 1737/8. *Enclosed*,

640. i. Supplementary to 639 iii. 7 *pp*.

640. ii. *Copy*, of 639 i. 4 *pp*.

640. iii. Supplementary to 639 ii. 18 *pp*.

640. iv. Minutes of council and general assembly of New Hampshire held at Hampton Falls by adjournment, 2 September 1737 and 20 October 1737. *Copy*, attested by Richard Waldron and certified by J. Belcher. 3 *pp*. [C.O. 5, 899, *fos*. 298–322d.]

## 641

December 20.

Case relating to the granting of royal mines in Jamaica, with the opinion of the Attorney-General thereon. The grantees under the grant of 6 Geo. I [*See* No. 606] so far from having opened or worked any mine in Jamaica have never to this hour made any attempt to find or dig any mine in the said island or made any other use of the grant than to pick the pockets of H.M.'s unwary subjects in Exchange Alley by setting up to sale and disposing of their interest by way of shares to all such as they could decoy, it being one of the reigning bubbles of that time. Queries: (1) whether



the grant of 6 Geo. I be now void or only voidable, and whether it must be repealed by *scire facias*; (2) whether the words of the governor's commission to grant lands are sufficient to empower him to grant mines; (3) if these words are insufficient, whether any new power given by instructions would be sufficient; (4) if this power cannot be given to the governor by his instructions, must a new commission be passed under the great seal for this purpose, and whether a grant could be overturned under the grant of 6 Geo. I; (5) whether the governor being empowered to grant royal mines can grant those that may lie under land already granted. Opinions: (1) the lease is plainly void; (2) insufficient; (3) if H.M. by instructions under signet or sign manual or by order-in-council direct the governor to grant royal mines, I think he will have a power to do so; (4) grants by the governor in pursuance of powers given him could not be so overturned; (5) I conceive that he can, the former grants not including royal mines. *Signed*, D. Ryder, 9 pp. *Endorsed*, Recd. 22 December 1737, Read 11 January 1737/8. [C.O. 137, 22, fos. 153-158d.]

642

December 20.  
Savannah.

William Stephens to Trustees for Georgia. I wrote you 26 October from Charleston and from hence 2 November; the last of them, which was sent immediately hence on my arrival, came to Charleston too late to go by the same ship with the former and was sent afterwards via Bristol by another. Having taken due precaution before I left Charleston to be timely informed when the next first ship would go for London, I purposed then to begin such a regular narrative of my proceedings here as I apprehend is expected and shall endeavour punctually to observe. But a sudden emergency will not admit of that regularity I wished, my duty obliging me to break through it lest I should prefer method to substance.

There having been a breach of friendship subsisting a pretty while between Mr. Wesley and Mr. Causton which, after various effects it produced, at last animated Mr. Wesley to leave the province and go to Carolina with intent to make the best of his way for England, Mr. Causton, from thence conceiving that he might have some advantage in first representing his case *viva voce* to the Trustees after such manner as to prepossess their opinions, thought it behoved him to be as early as he, if possible, in laying his case before the board also, and then willingly relying on their impartial judgements. Upon telling me his intention and my saying that we had got no advice of any ship being near upon sailing, he told me that he resolved nevertheless to send his papers to a friend in Charleston without loss of time, fearing the worst that some opportunity might be slipped. Upon this I thought it incumbent on me also to write something to the same purpose that might accompany it and therein observe such matters as I collected from the most unprejudiced persons of what passed relating to it before I came, as well as lay before you the truth of what I have seen since. It is universally known that the differences betwixt Mr. Wesley and Mr. Causton arose this summer last past and first broke out upon Miss Sophia Hopkins (niece to Mr. Causton) her marriage with one Mr. Williamson, a young man bred partly as a clerk under his uncle, Joseph Taylor of Bridewell, and sent over hither in the summer 1736; whom Mr. Causton observing to have some good qualifications, he employed him in writing and transacting particular business, not publicly as a clerk in the stores but as a domestic whom possibly he might have a confidence in more than the ordinary writers. In which way I left him when I returned for England the latter end of last year; and from thence ensued this conjunction which proved a disappointment to Mr. Wesley who had an intention of marrying her himself.

It is to be observed here that Mr. Wesley who constantly administered the sacrament at the church weekly on Sundays and generally on most saints' days in the year to such

few as could be wrought on to communicate so frequently, had at times set apart for that purpose in the evening some pious women who resorted to his house for exhortation and their better edification, among whom Miss Hopkins usually was one. But after her marriage, neglecting so strict a course of life, Mr. Wesley wrote to her admonishing her of her relapse from duty and persuading her to return to her former practice of coming to those private meetings. This her husband would not allow but absolutely forbade her assembling in that manner, and soon after, upon her refusing so to do (for what other reason I could not yet learn) when she came to the next communion Mr. Wesley refused her the sacrament; whereat her husband, enraged, brought his action the next court against Mr. Wesley for great damages, to which Mr. Wesley pleaded that it was not cognizable only before an ecclesiastical court. Afterwards upon some affidavit made and a court holden, a very full grand jury was summoned consisting of 44 of the principal inhabitants without distinction of persons as appeared plainly by the sequel: for after a charge given them to enquire into all offences, and this affair of Mr. Wesley's amongst the rest, they not only made a presentment against him but also drew up a long representation of grievances (as they judged them) wherein they were as free with Mr. Causton as anyone. All which I understand was sent by them to be laid before you, as I presume it is, wherefore it best becomes me to say no more on that head, especially being of matters past before I came and for that reason can assert nothing but as it is reported. And now open defiance seemed to be given out by Mr. Wesley on one part and the magistrates on the other, most of the malcontents acceding to Mr. Wesley and many others (I must say of the best note and distinction) strenuously adhering to the magistrates, resolving at all adventures to support them in the exercise of their authority for the preservation of the whole notwithstanding any personal pique which possibly might exist against either of them.

In this miserably divided state did I find the town at my arrival; and how great soever Mr. Wesley's resentment was against Mr. Causton's family I was really sorry to see it shown in abetting an angry set of people against the civil magistrates whom they appeared determined to overthrow (if possible) at any rate; and the great resort of those folks to Mr. Wesley's house for advice as well as his frequent appearing in court and openly espousing an opposition to the proceedings of it (though it no way concerned himself) plainly showed him the head of that party. Mr. Bradley's joining them is the less to be wondered at from that irreconcilable difference which has so long subsisted betwixt him and Mr. Causton, to give a just detail of which would fill a volume and is neither consistent with my present necessary brevity nor can I take upon me to unravel the whole and put it in a just light without the hazard of injuring one or the other. Mr. Oglethorpe before his departure hence had a full hearing of what each alleged and it was hoped his good advice and the directions which he left would have had due effect. But enmity soon broke out again and has more and more increased ever since. I fear Mr. Bradley's aim is an entire independency, and consequently whenever Mr. Causton does not readily comply with his demands he is offended. I was once present on such an occasion since I came, when Mr. Bradley set forth the hardships he sustained by having so great a family to maintain and Mr. Causton's withholding what he had a just title to, affirming that the Trust was indebted to him above 400*l.* sterling for his servants' work on their lands besides many other articles. Mr. Causton produced copy of the Trust agreement with him which he said he fulfilled in keeping his account open and was ready to supply him at any time with stores of all sorts upon Mr. Bradley's only certifying to him that it was for the Trustees' service. Mr. Bradley urged that he wanted money as well as provisions, and upon the other's asking him how much, he said less than 100*l.* would do him no service. Mr. Causton replied that the money sent him was so



appropriated that he could not go that length but to show his readiness to assist him he would stretch a point and venture to let him have 20/., which Mr. Bradley seemed to despise and went off. Hence (as I take it) arises the spring of Mr. Bradley's uneasiness, thinking Mr. Causton does not do him justice. But it will require an impartial inquisitor to lay open the truth which appears too much perplexed for me readily to unfold.

My first care after my arrival was to appear wholly neuter, endeavouring in all conversation to show the great injury accruing to the colony by thus falling into parties and thereby weakening ourselves when we have need to unite. Several families I took upon me to visit whom I had formerly known well-affected but lately led aside by the artifice of others who (I prevailed with some of them to believe) only made use of them as tools to serve their own ends, assuring them that the Trustees' ears were always open to any complaints which if well-founded they would most readily redress, but if they went another way to work, thinking to take the power of rectifying what they thought amiss into their own hands, they would certainly find themselves mistaken. By these means I began to find I had made some impression and to conceive good hopes I should see all this ferment subside again in time and the misled people drop those who imposed on them by filling their heads with false tales and idle suggestions. Whilst things stood thus a private interview happened betwixt Mr. Wesley and Mr. Causton which being present at myself I noted it in my journal of 23 November and which I have made a transcript of: 'Nov. 23. Mr. Wesley having sent to Mr. Causton for a copy of some papers occasioned by their falling out, Mr. Causton sent him word that if he would come to him or give him an opportunity of a few words he would give him copies of anything he asked; and Mr. Wesley thereupon sending him word he would wait on him after dinner Mr. Causton desired me to be present and hear what passed. When they met some marks of resentment were easily discoverable from their words, as might be expected betwixt two people at variance, recriminating on each other, wherein I really thought Mr. Causton most vehement alleging high provocations (too long to insert here) which I presume he lays fully open before the Trustees, as it is likewise to be presumed Mr. Wesley does on his part. What I thought most worth my observing therefore was that though the parson appeared more temperate in the debate, yet he showed a greater aversion to a coalition than the other, for Mr. Causton very readily told him (after the first heat was over) that to show his disposition to an accommodation he should find him come to church again and willing to pass over several things that seemed to obstruct a good understanding with one another. But no such advances were made (as I could find) by Mr. Wesley who by his replies seemed to be of opinion that a reconciliation was hardly possible. However, from what had happened I hoped this beginning might lead on to a further step the same way and end well at last. They parted with mutual civilities'.

After this had passed, the very next morning Mr. Wesley fixed up an advertisement publicly to declare his intention of going soon for England which indeed surprised me and showed that no coalition now could ever be expected and the following transcript of my journal of 2 and 3 December fully relates all that I can say of him more:

'December 2. This being the day of Mr. Wesley's intended going off, the magistrates met and he sent them a very short letter of two lines, unsealed, acquainting them that some matters of moment required his waiting on the Trustees, and he desired to know if they had any design to stop him. To which they returned a verbal answer by the same messenger importing that since he did not think fit to enter into a recognizance for his appearing at the court to answer what was there alleged against him they could not give up the authority of the court. After which they fixed up public notice to all constables and tithingmen, in case he attempted to go off, to apprehend him or any person who should aid and assist him therein'.

'December 3. Notwithstanding all the precaution that was taken it was known this morning that Mr. Wesley went off in the night and with him Coates, a constable, Gough, a tithingman, and one Campbell, a barber. This surprised most people (even many of those who wished him best) that he should take such company with him, for there could scarce be found men more obnoxious. Coates more especially was and had been a long while one of the principal fomenters of all mischief, a busy fellow always taking upon him in court to be an advocate or pleader for any delinquent, going from house to house with idle stories to fill people's heads with jealousies and distinguishing himself for a most inveterate opposition to all rules of government, all which was evident to myself as well from what I had observed when here formerly as more especially now since my arrival. Moreover, he was greatly accountable to the Trustees in divers articles as well as indebted to many people, and to add to all this he had never improved one foot of land since he came to the province or built anything more than a very mean hut in the town. Gough was also an idle fellow, pert and impudent in his behaviour, always (of late) kicking against the civil power and making it his business to inflame a sedition. He likewise had little to show of any improvement more than setting up the shell of a house which he never finished though (if I am rightly informed) he has received considerable favour to enable him, and now went off in many people's debt, leaving a wife and child behind who even in this forlorn state scarcely grieve at his absence since he used to beat them more than feed them. Campbell was an insignificant loose fellow, fit for any leader who would make a tool of him and all the visible motive at present to be found for his going off was in so doing to escape his creditors. As I was always ready and willing in conversation or otherwise to make allowances for Mr. Wesley's failings or mistakes in policy and (out of respect to his function) careful not to run hastily into an entire belief of all that I hear laid to his charge, I was now asked by divers in a sneering way what my sentiments were of him, which indeed puzzled me. *Noscitur ex sociis* was the common byword, and all I had to say was that he must stand or fall by himself when his cause came before the Trustees'.

I think it a misfortune upon me at present that the haste used now to accompany Mr. Causton's packet will not allow me to send a full copy of my journal wherein I have been so minutely particular in most cases as to swell it (I fear) to too large a volume. But I hope very soon to send it entire as it is together with what other affairs were given me in charge in as short a time as the perfecting those affairs will admit of. Nevertheless I must not let this go without observing that I am sorry to find here another set of people whom I must also rank under the name of malcontents in one respect, though far differing from those before mentioned in any other, for they have given evident proof of their readiness to support the civil power in their due execution of justice and show an abhorrence of all tumultuous courses: these men, however, I am apprehensive may be the occasion of great mischief by their exclaiming against the tenure of their lands and the losses they sustain for want of negroes unless we can happily soothe them into better temper. Those are the two topics of their discourse at all times and places which influences others to think alike with them, and I doubt too many are caught with such opinions. Upon several conferences with some of the principal of them who were most warm in enumerating their losses by the death of white servants, the charge of doctors' bills, and their crops not answering, whereby they endeavoured to make it appear they had run out great part of their substance and could bear it no longer but were designing to quit the colony, I so far prevailed with them to consider a little farther before they acted so rashly that at length they seemed determined to make a representation of their case to the Trustees and try if they would condescend to consider their hard case (as they call it). I told them I did not apprehend that it would give offence to lay anything before



you which was a real grievance such as they were inevitable sufferers by, for I was sure you meant nothing but good to them all; but then (I said) it would behove them to state plain facts only and not prescribe remedies which undoubtedly would not be pleasing, for that you only were the proper judges what cure to apply wherever you saw the case required it. I am not yet informed whether they have perfected such a representation or not; or if they have, whether they intend to send it without my privity. In my next I shall take the freedom to offer a few characteristics which I conceive appertain to several of them. I had the satisfaction within few days past of being told by Mr. Williams, who is one of the chief, a very stirring, active man and who has thrown out a good deal of money in improvements in expectation of a return, that he had now determined with himself to try one year more and see what he could do, still hoping that the Trustees would take these things into consideration before he had gone too far past recovery. What some others of less merit but not less clamour intend, I expect to know soon, and shall then be more explicit in what I write.

Another thing I should be inexcusable to omit, and that is the deficiency at present of divers who were invested with powers of acting as well in a civil as military capacity. Mr. Darne, one of the magistrates, was dead before I came; Mr. Parker, whom I take to be a plain, honest, rational man, is thereby tied down to a more constant attendance in town than his country affairs will permit without great loss, which I perceive makes him a little uneasy but no ways complaining, and he is truly active in preserving the peace of the place and doing justice to the best of his power; Mr. Vanderplank, the first constable, after a long sickness is newly dead, who was also an active man in his duty and a good officer; Coates, the next constable, ran away with Mr. Wesley as I have said; Mr. Jones, the next, who is also surveyor, is seldom in town; and Mr. Fallowfield, the fourth, was of late grown chagrin on some little pique too long and trifling to make a tale of here, so that the magistrates had a sort of diffidence of him, but as I had once a familiarity with him and know his temper, that at heart he is a well-wisher to the colony and an industrious, active man, deserving countenance and encouragement, upon a little talk with him now and then and showing him what I thought his interest, he was easily inclined to believe so, and I am of opinion he is returned to his former temper and way of thinking. These things I apprehend you will think worthy your deliberation that the hands of the magistrates may not be weakened nor the militia defective in proper officers.

Your public garden at present has a melancholy aspect continuing much in the same state as Mr. Anderson found it or as it was left by Piercy when he went off without any cultivation since of any note, which in a little time would make it desolate. But I understand Mr. Anderson waits your directions about it in answer to what he wrote ere he undertakes it, and then it is to be hoped something will be done; at present he employs himself wholly on his cultivation of land about three miles off.

Here was a current report for several days occasioned by a boat accidentally coming from Charleston with some small wares for a market, by which we could learn nothing with certainty, that a ship at the time of that boat's coming away was stranded upon the bar coming in there, which was supposed to be Capt. Nicholson, but that all the people were saved (among whom I expected my son), and the 18th (not sooner) I got the truth of it by a sloop which came from thence bound for the island of Providence and was to make a short stop in this river by the way on account of a person here concerned in her freight; which sloop coming out of that harbour at the time of Capt. Nicholson's distress took all the people on board out of the ship, carried them into Charleston, and soon after sailing again, my son wrote by her, from whom I am advised that through the ignorance of the pilot the ship ran ashore upon the south breakers half-mile from the

bar, when after she had lain beating for 26 hours and the people all in peril of their lives (at which time this sloop came to their relief) the ship beyond all expectation worked herself off and by the help of numbers of boats and men was towed into harbour, but all her cargo exceedingly damaged. The goods intended for Georgia from the Trust he hopes will most of them be saved, amongst which he reckons two cases of smallarms, ammunition etc., and he believed he should come at them in few days, though the water got in so fast that four pumps gained but little upon her; he tells me that a small box of great value directed to Mr. Causton is safe, which is good news. His own loss, he says, is not great but was in a hurry to save what might be, for many things in the ship were stolen under such confusion and afterwards in the sloop too; and as soon as he had secured what he could he would make the best of his way hither, so I look for him every day, his letter bearing date 9th when the sloop was upon coming off, which was eight days on her passage by sea to this place. What letters came by Capt. Nicholson or in whose hands they are he says nothing of. Mr. Hopton who acts for Mr. Jenys's widow writes me much to the same purpose and advises me (as I desired him) of several ships being near ready to sail for England so that I now wait only till Mr. Causton's dispatches are ready that this may go with them. Mr. Hopton is a man of good character, very ready to oblige and shows a great desire to be serviceable to the Trust. He is the principal correspondent I confide in there at present.

Upon this occasion I must take notice of the great inconvenience which this colony labours under at present by reason of so uncertain and precarious an intercourse with our neighbours at Carolina. If any sudden emergency requires a letter to be sent to Charleston which might be of great service to the public, unless a boat is hired on purpose (when men and boat must both be paid for at a dear rate which cannot well be justified unless in the greatest extremity) probably we may wait a fortnight or more before any opportunity offers of conveyance. When that is found the master of the boat to whose care it is committed perhaps neglects to deliver it some days after his arrival, or it may be (if a drunken fellow) loses it, whereof there are divers instances; but supposing the best, that the letter is delivered in due time, the person to whom it was written to is as much to seek how to return an answer, the same difficulty lying in the way and the same hazard attending it, allowing after all no such accidents to happen. At best we must think it quick dispatch if upon sending a letter thither by such chance conveyance an answer is obtained in three weeks time, which is very discouraging. To remedy this I propose that a light rowing boat with 4 or 6 oars might be allowed to attend that service when needful which at all times in reasonable weather might be expected to go thither, do what it is sent to do and return within land the same week. I apprehend it would be hard to find a people anywhere so numerous as this is now without some suchlike appendage. Nevertheless I would be cautious of offering at any increase of charge, being confirmed in my own private judgement it would rather be a saving than addition; for excepting the first cost of the boat which might be 15*l*. or 16*l*. the annual charge would hardly be discerned, supposing the men rowing to be actually already servants of the Trust who as soon as the boat comes home return to their public work again; and it is wellknown there sometimes happens an indispensable necessity on weighty occasions of sending boats to and fro, hired at an excessive rate, which must undoubtedly preponderate this expense that would answer the same end. Here also I might observe to you how unhandsonely you have divers times been used by our neighbours in opening your packets and letters for this province, which is so notorious that I am pretty well assured some of the assemblymen there have not scrupled to acknowledge it, which renders all correspondence with your people here exceeding hazardous and consequently it behoves us highly to be well aware to whose care we commit any letter for England from



hence. It is not long since Mr. Causton showed me a packet he had just then received from Mr. Eveleigh of Charleston wherein was only enclosed a letter of yours to him (Mr. Causton) which came by Capt. Scott of the *Seaforth* in May last, broke open though sealed with three seals, and now sent in that manner enclosed in a blank cover without one word about it or any excuse either for its being opened or delayed to be sent. It was the original letter whereof Mr. Causton had received a duplicate some months after by another ship. But I say no more of that, assuring myself these evils will be cured soon by those who will reside there with power sufficient to do it. Neither (I presume) need I take upon me to acquaint you that Col. Broughton, the late lieut.-governor, dying towards the latter end of November, Col. Bull was proclaimed president of the council to act in his stead till another is appointed: his good disposition to this colony has always been valued.

Messrs. Horton from Frederica and McIntosh from Darien came hither about eight days since in order to settle accounts of stores with Mr. Causton and are both newly returned again. It was with great pleasure I heard from Mr. Horton so good an account of that part of the province where they were so healthy that they had not buried one man since Mr. Oglethorpe left them and that the people were orderly and industrious on their lands. Mr. McIntosh also reported that the people with him were diligent and well content and that divers of them had 20 bushels of corn upon an acre in return for their labour, which was a great encouragement especially when the crops of corn have so universally almost failed in all the neighbouring provinces. I wish I could say as much in favour of this part of the country, which I shall write a particular account of in my next. Capt. Thomson from Scotland arrived at this town 20th ult. and all well aboard with the loss of only one old man, a woman and little child in their voyage, but was in great danger on the coast of Carolina where he struck on a bank and happily got off again without any damage. The number of his company and how they are disposed of shall also come with other lists as required per next. He is now preparing to sail for Charleston in hopes to get a freight home from thence. As I purpose to let another letter quickly follow this I forebear extending it to a greater length fearing to be tiresome.

*Signed.*

PS. 21 December. After concluding the above letter, Capt. Hewett in the *Three Sisters* arrived here, leaving his shipfull of Palatines at Tybee. He came last from Charleston where he was obliged to go for safety about 10 days since, after having been off our bar 24 hours and firing guns for a signal, but no boat coming off he bore away not daring to venture in without one. It is great pity we often hear of vessels intending to put in here that pass by for the same reason. Time will not permit me now to give a full account of all that is done relating to the people he brings, being obliged to hasten away our letters for Charleston where some ships are ready for sailing to England, as I have lately received advice thence. I have the satisfaction before I close this to acquaint you that my son (whom I waited with impatience to see) is just arrived from Charleston in a schooner from whence he sailed on Sunday last (18th) with the passengers designed for this place all well, and the several goods are all come but not without some damage the particulars whereof he tells me he wrote to Mr. Verelst by the *Betty* galley that sailed from Charleston whilst he was there.

23 December. It is so long since as the latter end of the last month that we had advice by Mr. Paris of Carolina (who came here) of a letter being written by a gentleman passenger at sea bound from Havana for England, which letter Mr. Paris told me was directed to Mr. Oglethorpe here or in his absence to the commander-in-chief, dated in August and put on board the ship *Samuel*, Capt. Percy, at sea which was bound for Pennsylvania and thence to Charleston. That there was such a letter came by Capt.

Percy Mr. Paris was positive in, having seen another letter from another passenger on board the same ship to his friend at Charleston wherein this other letter was referred to as importing great news etc. Mr. Causton has just now received that letter which imports great news indeed if it might be relied on. But as he sends copy of it to you who know best what judgement to make of it, it would be impertinent in me to offer anything upon it. But I cannot avoid taking notice of the intolerable usage we have so often met with from Carolina in stopping or suppressing letters for this place as they please. 11 pp. *Endorsed*, Recd. 11 March 1737/8. [C.O. 5, 640, fos. 26-31d.]

643

December 21.  
Savannah.

William Stephens to Harman Verelst. I wrote you on 2 November from hence and 26 October from Charleston. The enclosed for the Trustees will fully inform you. In the list of servants I certified at Gravesend were on board Capt. Shubrick, I set down John Ewing as a servant to the Trust; and Timothy Randolph was indented to me in your presence. Finding myself without a servant who knew anything of the work to be done, I have exchanged Randolph for Ewing. I promised to inform you and her father more of my housekeeper, wherefore I enclose those valuable manuscripts which our voyage produced, rough as they are: I presume she is in the same way I left her at Charleston where I hope she may do well if she behaves well. On Capt. Thomson's arrival I received three Highlanders instead of the expected six, so that my number here now was seven. My son has one with him and says two more are to come by the *Georgia* pink, for which thanks to you. I hope the other two are more promising than this one who has never worked except on water.

22 December. Your letter of 10 October is now before me. The news of the regiment for Georgia under Mr. Oglethorpe's command is very pleasing to all: the names of the lieutenant-colonel and major give me particular delight. I should have been glad to hear about the lieutenant-governor of Carolina and that our friend at Whitehall was declared such after so long talk of it, but I still hope the next news from England will confirm it. Several letters enclosed. *Signed*. 2 pp. [C.O. 5, 640, fo. 32, 32d.]

644

December 21.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received, a receipt from the bank for 5*l*. 5*s*. paid in by Dr. Hales. [See No. 612.] Received, a receipt from the bank for 3*l*. 3*s*. paid in by Lieut.-Col. Cochran, Major Cook and George Preston junior, being 1*l*. 1*s*. each for the considerations of their grants. Read, an instruction from the king to the Trustees appointing the forms of prayer for the royal family. [See No. 618.] Ordered, that a copy of the said instructions be sent to the magistrates in Georgia that the same may be complied with. Ordered, that a licence be made out for Rev. George Whitefield to perform ecclesiastical offices in Georgia as a deacon of the Church of England. Col. Oglethorpe laid before the board a letter from Mr. Stone to Duke of Newcastle, dated Whitehall, 17 December 1737, mentioning that John Savy had been examined since his arrival in England and Col. Oglethorpe moved that a committee be appointed to wait upon the Duke of Newcastle from time to time on the subject of the said Savy's examination. Resolved, that Mr. Oglethorpe, Mr. Vernon, Thomas Tower and Mr. Laroche or any two of them be a committee to wait upon the Duke from time to time on the said subject. 2 pp. [C.O. 5, 687, pp. 50-51.]

645

December 21.

Grant by Trustees of Georgia to William Wood of Wapping, sea-captain, of 500 acres of land in Georgia. In default of heirs male and subject to other conditions, the Trustees will at the death of William Wood grant the



said lands in tail male to such person (not having lands in Georgia) as William Wood shall nominate by his will. *Entry*.  $\frac{3}{4}$  p. [C.O. 5, 670, p. 338.]

**646** Lieut.-Governor John Pitt to Duke of Newcastle, enclosing minutes  
December 22. of council of Bermuda, 9 September 1729–25 October 1737, and journals  
London. of assembly 9 August 1737–8 September following. Being very lame  
and not able to stir out, I thought proper not to defer the delivery of them any longer.  
*Signed*. 1 small p. [C.O. 37, 29, fo. 80.]

**647** Same to Council of Trade and Plantations. [*In substance same as pre-*  
December 22. *ceding, but also enclosing public papers and naval office list of shipping.*] *Signed*.  
London. 1 small p. *Endorsed*, Recd. 23 December 1737, Read 15 February 1737/8.  
*Enclosed*,

647. i. Accounts of public rents received and disbursed at Bermuda, 1 January 1731/2 to 15 May 1735. Receipts, 349l. 4s. Signed, Richard Tucker, deputy provost marshal. Audited, 6 September 1737, Andrew Auchinleck, Francis Jones, Nathaniel Butterfield, Robert Dinwiddie, Samuel Burrows. *Copy*, certified by John Pitt. *Seal*. 14 pp. *Endorsed*, as covering letter.

647. ii. Account of powder money at Bermuda, 25 June 1736 to 4 July 1737. Receipts, 71l. 3s. Signed, George Tucker, secretary. Audited, 8 September 1737, as No. i. Passed the council, 9 September 1737, John Pitt, Andrew Auchinleck, Francis Jones, Nathaniel Butterfield, Robert Dinwiddie, Samuel Burrows. *Copy*, certified by John Pitt. *Seal*. 12 pp. *Endorsed*, as covering letter. [C.O. 37, 13, fos. 26–27d, 29–44d.]

**648** President William Bull to Duke of Newcastle. The apprehensions we  
December 23. lie under of being invaded by the Spaniards has taken up the considera-  
Charleston. tion of the general assembly who have come to such resolutions and  
entered into all proper measures possible to put this province in the best posture of  
defence. Several new batteries have been raised in such places as were thought most  
likely to annoy the enemy from and to keep them, if possible, from entering this harbour.  
Additions have likewise been made to the fortifications of the fort at Port Royal, but as  
the artillery which H.M. sent us some years since is already mounted and more wanting  
to make the new batteries useful the general assembly has addressed me to move H.M.  
for assistance in so essential a point as the fortifying this province against the attacks of  
H.M.'s enemies and also for that purpose to beseech H.M. to send us a quantity of  
smallarms for the newcomers that they may be rendered serviceable upon occasion.  
List of artillery, smallarms and utensils wanted is enclosed. *Signed*. 2 small pp. *Endorsed*,  
Recd. 27 March, duplicate sent to the Council office. *Enclosed*,

648. i. Commissioners of Fortifications to President Bull; Charleston, 23 December 1737. In Charleston the number of ordinance on 9 August 1735 was reported by Capt. Thomas Lloyd, then as now the gunner of the fortifications there, to amount to 73, of which 31 were defective and 42 (18 demi-culverins, 19 saker and 4 minion) were fit for service exclusive of the 72 pieces which H.M. sent over in Governor Johnson's time. At Johnson's Fort there are only 12 indifferent good, mostly 9-pound shot and two small guns of 3-pound shot. Besides those before-mentioned there are five or six rabinets only fit for inland pallisado forts. All the cannon (saving the 72 from Great Britain) are very old and probably but few would stand any considerable action. They are of so many different makes, French and Dutch as well as English, that it is difficult to mount one bastion or platform of 10 guns of the same height or nature. The whole number deemed fit for service amount to 126, and of those 18

have been detached to Port Royal which with six ship-guns bought last summer mount that fort with 24 pieces, and five were sent to Winyaw which with two they had before makes their battery consist of 7 guns; remaining in Charleston, 103.

Requirements: Johnson's Fort and Battery 45, Broughton Battery 36, Granville Bastion 23, three flat bastions, a half-moon on the curtain, 24, the length of the curtain being 2700 feet would well accommodate more than a hundred but at a modest computation 50. Total, 178; so that there will be wanting 70 pieces. A battery of 10 or 12 good guns should also be placed on Hog Island to command the northern channel to Charleston. Port Royal and Winyaw need 30 and 20 respectively. Annexed schedule shows numbers and sizes; ironwork for carriages, shot and other stores will be also wanted. Twenty or thirty cohernes and shells, a bomb mortar with shells and ironwork for carriage, and more smallarms for the new settlers may be wanted in case of war with France.

Schedule of needs at Charleston to mount complete Johnson's Fort, 22 of 18 lbs., 10 of 9 lbs., 13 of 5 and 3 lbs.; Broughton's Battery, 10 of 18 lbs., 26 of 12 lbs.; Granville Bastion, 12 of 12 lbs.; Craven Bastion, 11 of 12 lbs.; three flat bastions on curtain, 15 of 9 lbs.; half-moon on ditto, 9 of 5 and 3 lbs.; five platforms on curtain, 50 of 9 lbs. Total, 32 of 18 lbs., 49 of 12 lbs., 75 of 9 lbs., 22 of 5 and 3 lbs. Already available in Charleston, 20 of 18 lbs., 36 of 12 lbs., 25 of 9 lbs., 22 of 5 and 3 lbs. Wanting to mount the fortifications in Charleston: 12 of 18 lbs., 13 of 12 lbs., 50 of 9 lbs., ironwork for carriages, shot, small stores. We take no notice here of the deficiency of Port Royal, Winyaw and Hog Island, being fully expressed in the report. *Copy*, certified by Alexander Cramartie. *Signatories*, John Fenwick, Michael Brewton, Samuel Prioleau, Thomas Lloyd, Oth. Beale. 3 pp. [C.O. 5, 388, fos. 168-171d.]

649

December 23.  
Savannah.

Thomas Causton to Trustees for Georgia. A long illness having seized Mr. Williamson whom I formerly mentioned to be employed in transcribing my journal has occasioned its delay, which will not (I hope) happen again. As I have treated each matter with all the exactness and justice I can, I hope no expressions whatever will be taken as partiality and very unhappy should I be in the attempt if censured as such. I am sensible the designs of ill-disposed persons are too subtly laid and often executed beyond the power of truth with all its force to guard against them. Your approbation of any part of my conduct is a great satisfaction and indeed comforts me. The journal to 24 June now waits on you with the several papers referred to. As to the particular progress in the cultivation of lands I doubt not but Mr. Brownfield has fully informed you, having assisted in what I knew. But people here vary much in their opinion and there are some (whose names you will know by Mr. Stephens) who are fully bent to terrify and discourage everyone in that matter. It is certain that this year's crops of corn are very small, but as the like ill-success attends Carolina I am in hopes to retrieve the people's spirits by a necessary support of those that continue to cultivate their lands. *Signed*. 2 small pp. *Endorsed*, Recd. 11 March 1737/8. [C.O. 5, 640, fos. 34-35d.]

650

December 23.  
Savannah.

Thomas Stephens to Harman Verelst. Upon my arrival at Charleston I waited upon Mr. Wragg hoping to find credit which you promised you would give; but I presume through the hurry of business you forgot it. Wherefore under the difficulties that I then was and the necessity of my attendance in that town upon so unfortunate occasion I presumed to take 50*l*. currency of Mr. Wragg which he readily furnished me with. I hope it will not be thought extravagant but what the Trustees will approve of. I wrote you the particulars of our misfortune



the 10th from thence by the *Betty* galley, Capt. Winster. I presume Mr. Wragg acquaints you himself of his hiring a schooner to bring us hither, it being his opinion that considering the weather the goods would have been liable to have been spoiled in an open pettiagua and the passengers exposed to the rigour of the season. *Signed*. 1 small p. [C.O. 5, 640, fos. 36-37d.]

651

December 23.  
Whitchall.

Order of Committee of Privy Council for Plantation Affairs referring the following to the Council of Trade and Plantations. *Signed*, W. Sharpe. *Seal*. 1½ pp. *Endorsed*, Recd. 5 January, Read 11 January 1737/8.

*Enclosed*,

651. i. Petition of Sebastian Zouberbuhler to Committee of Privy Council. In consideration of the heavy charges set forth in previous memorials, and since he has not been allowed the same reward of 400*l.* sterling which was given to Mr. Purry, the petitioner asks that in lieu thereof H.M. will order the governor of South Carolina to put him in possession of the 48,000 acres mentioned in his former petition free of all fees of grants, plats and surveys, and that those fees be paid out of H.M.'s revenue in Carolina; or else that H.M. will grant the petitioner 12,000 acres of land as contiguous as possible to the proposed settlement of New Windsor over and above the 48,000 acres. The petitioner further asks that, in view of the delays he has met with, the two years in which he is to complete his undertaking may begin from October 1738. *Copy*. 1½ pp. [C.O. 5, 366, fos. 31-33d.]

652

December 28.  
Jamaica.

President John Gregory to Council of Trade and Plantations. I wrote to you on 25 November informing you of some seizures made of our ships by the Spaniards, but since I find by the public prints that news reached England as early as it did here I shall forbear any further recital on that subject. I likewise informed you of the death of two councillors, Mr. Garbrand and Mr. Hals. There only remains of such as act Mr. Campbell, Mr. Mill, Mr. Concanen and Mr. Philp. Two of the gentlemen who withdrew their attendance, Mr. Dawkins and Mr. Gordon, have lately written acquainting me that they resigned their seats in council and desiring their vacancies may be supplied. As I now think myself sufficiently empowered by my instructions I shall add Mr. Ely and Mr. Price to the council if I can prevail upon them to accept. I choose to name them as they were recommended to you in Mr. Cunningham's time and your answer has been that they should be proposed for the first vacancies. As the number, supposing them to accept, will be still insufficient to depend upon a quorum, Mr. Campbell living at a great distance and Mr. Mill being often infirm, I propose to add Mr. Dennis Kelly, a gentleman of very good abilities and circumstances and as such I recommend him to your favour. I return my thanks for the justice I am informed you have done me in supporting me against the complaints of the gentlemen who so causelessly withdrew their attendance; it was a dangerous example in them and might have been attended with bad consequences, and therefore it may be necessary to discountenance such behaviour for the future. *Signed*. 1½ small pp. *Endorsed*, Recd. 8 April, Read 12 April 1738. [C.O. 137, 22, fos. 175, 175d, 181, 181d.]

653

December 30.  
Palace Court.

Minutes of meeting of Trustees for Georgia. Received by Earl of Egmont 500 copies of an explanation of the Church catechism in two parcels whereof one bound and the other stitched, benefaction of a lady. Seal affixed to authority to Rev. George Whitefield to perform ecclesiastical offices at Frederica as a deacon of the Church of England; secretary to countersign. ¾ p. [C.O. 5, 687, p. 52.]

**654** Authority by the Trustees for Georgia to Rev. George Whitefield to perform ecclesiastical offices as deacon in Georgia. *Entry*. 1 p. [C.O. 5, December 30. 670, pp. 333-334.]

**655** David Dunbar to Andrew Stone, asking that the Duke of Newcastle [Undated.] be reminded of a memorial given to him. The ill treatment complained of and the justice of my cause will plead for me. I beg you to lay the enclosed memorial before his grace and obtain an answer to it. *Signed*. 1½ pp. [C.O. 5, 752, fos. 322-323d.]

**656** Memorial to Lord Harrington. We have been informed by a little book [Undated.] printed in Berne that the King of England wants men that are brought up to country business and know how to improve land and make butter and cheese in Carolina, which we heard is a land flowing with milk and honey. We think ourselves happy to become the subjects of so great and generous a king and useful to the most charitable nation under heaven. We have sold our small substance in our native country and might have paid our expenses; but as we were, instead of fourteen days, fourteen weeks upon the Rhine where the armies have made all things scarce, we have laid out all our money and must now beg you to recommend us and our wives and children to the king's bounty that he may send us to that blessed country in the *Two Brothers* commanded by Capt. Thomson who has been so good to the Salzburghers while our captain has been so hard to us. 1 p. [C.O. 5, 306, fos. 51-52d.]

**657** Petition of Pierre Morel to James Oglethorpe for grant of a piece of [Undated.] land in the village of Highgate<sup>1</sup> in Georgia vacated by the death of Simon Boisselle and his family, his own lot being of poor quality. *French. Signed*. 1 p. [C.O. 5, 639, fos. 145, 145d.]

**658** Account of ships taken by virtue of commissions from Governor [Undated.] Mathew as extracted from M. Hop's memorial of 11/22 February 1736/7 and the papers annexed thereto: the *Two Sisters*, Jan Romyn commander, was taken in passage from St. Eustatius to Guadeloupe, seven Dutch miles out at sea, carried to Montserrat and condemned; the *Catherine*, Charles Chenie master, condemned at Montserrat; the *St. Anthony*, Jacob de Meyer, taken between St. Eustatius and St. Christopher's, and restored; the *Dolphin*, Daniel McDaniel master, taken near St. Christopher's and condemned. NB. It appears that the *Three Friends* (a ship mentioned in the papers annexed to M. Hop's memorial) is the ship *Dolphin*. 1 p. [C.O. 152, 44, fos. 108-109d.]

**659** Observations on the papers relating to Governor Mathew. I have read [Undated.] over the several memorials and papers relating to Governor Mathew's seizing and confiscating two French ships bound to France from their islands by virtue of an Act of Assembly made at Montserrat, which Act makes all French ships prize or liable to be condemned that shall come within a league of any of our islands and be found guilty of clandestine trade, though in the condemnation of the said ships there does not appear any proof or allegation of their having traded but only that they were said to be within a league of Montserrat; so that they are condemned contrary to their own Montserrat Act, which, by the way, has not been confirmed here and perhaps will not, being contrary to the treaty between the two crowns in 1686 confirmed by the

<sup>1</sup> MS 'Heigat'.



Treaty of Utrecht. But the French king having made an edict in 1727 directing his governors in America to seize all foreign ships not only when proved guilty of illicit trade but when found within a league of any of their islands which has been put in execution on several ships and vessels as alleged by our merchants and by the Board of Trade from them, and no redress obtained though applied for at the court of France, this edict the Governor seems to think a sufficient justification of his proceeding in this affair and to support the honour of the nation. But what authority he had to consent to such a law or to fit out any vessel and give commissions to them for seizing any French or other ship I know not. Our men-of-war did not think themselves authorized to do any such thing by their instructions or by the said Montserrat Act, being contrary to the Treaty beforementioned. It would have been well if sufficient notice had been taken here of the said edict of the French king so soon as it was known here or at least so soon as it was put in execution by the French governors. And in the accommodating this affair it should be particularly insisted that the said edict be repealed that peace may be restored where now hostilities are committed on both sides.  $2\frac{1}{4}$  pp. [C.O. 152, 44, fols. 92-93d.]

**660** Draft of revocation of William Mathew's commission as Governor of  
[Undated.] Leeward Islands, ordering him to hand over the government to Edward Byam, Lieut.-Governor of Antigua and to repair to the royal presence.  $2\frac{1}{4}$  pp. [C.O. 152, 44, fols. 94-95d.]

**661** Extract of clauses of Governor Mathew's commission concerning the  
[Undated.] succession of the government in the event of his death or absence.  $2\frac{1}{4}$  pp. [C.O. 152, 44, fols. 96-97d.]

**662** List of lieut.-governors in the Leeward Islands with dates of commis-  
[Undated.] sion: Edward Byam, Lieut.-Governor of Antigua, 17 October 1727; William Hanmer, Lieut.-Governor of Nevis, 26 January 1732/3; Gilbert Fleming, Lieut.-Governor of St. Christopher's, 3 May 1733; William Forbes, Lieut.-Governor of Montserrat, 26 March 1737.  $\frac{1}{2}$  p. [C.O. 152, 44, fols. 98-99d.]

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## Appendix I

## SOUTH CAROLINA LAND GRANTS

A register of grants of land in South Carolina between the years 1675 and 1765 has been preserved under the reference C.O. 5, 398. The entries for 1737 have been extracted and are given below. The register records the name of grantee, place where the land granted lay, number of acres, date of grant and rent. The rent for all grants made in 1737 was 3s. sterling per 100 acres.

| <i>Grantee</i>                          | <i>No. of Acres</i> | <i>Place</i>         | <i>Date</i> |
|---|---------------------|----------------------|-------------|
| Allston, William                        | 129                 | Craven County        | 13 July     |
| Amyand, Isaac                           | 200                 | do.                  | do.         |
| Arnold, William                         | 500                 | do.                  | do.         |
| Arshur, John                            | 500                 | do.                  | do.         |
| Ash, Margaret                           | 350                 | do.                  | 8 April     |
| Ash, Richard and<br>Livingston, William | 440                 | do.                  | 13 July     |
| Ashby, John                             | 900                 | do.                  | do.         |
| Atkin, Edmond                           | 56                  | Berkley County       | 13 August   |
| Atkinson, Anthony                       | 300                 | Craven County        | 13 July     |
| Badenhope, Jesse                        | 1000                | do.                  | 8 October   |
| Barnett, John                           | 250                 | do.                  | 12 August   |
| Baxter, John                            | 1100                | do.                  | do.         |
| Bayley, Ralph                           | 175                 | Granville County     | do.         |
| Birmont, Joseph                         | 250                 | Craven County        | 13 July     |
| Blamyer, Mary                           | 450                 | Berkley County       | do.         |
| Bonneau, Henry                          | 500                 | Pon Pon River        | do.         |
| Bonneau, Henry                          | 131                 | Berkley County       | 12 August   |
| Brockington, William                    | 500                 | Craven County        | 13 July     |
| Brown, John                             | 25                  | do.                  | 12 July     |
| Brown, Thomas                           | 725                 | Little River         | 13 July     |
| Brown, William                          | 258                 | Colleton County      | 12 August   |
| Buckhannan, William                     | 500                 | Craven County        | do.         |
| Bull, Stephen                           | 533                 | Colleton County      | 13 July     |
| Bull, William                           | 5365                | Savannah River       | 12 August   |
| Burnham, Nicholas                       | 640                 | Colleton County      | 13 July     |
| Butler, Thomas                          | 508                 | do.                  | 12 April    |
| Campbell, Hugh                          | 170                 | Saltcatcher River    | 12 August   |
| do.                                     | 300                 | do.                  | do.         |
| Chandler, Philip                        | 250                 | Black River          | 13 July     |
| Cheesman, Thomas                        | 1500                | Craven County        | 12 August   |
| Chevilett, John and Sarah               | 500                 | Purrysburgh township | 12 February |



| <i>Grantee</i>         | <i>No. of Acres</i> | <i>Place</i>      | <i>Date</i> |
|------------------------|---------------------|-------------------|-------------|
| Child, Josheph         | 400                 | Berkley County    | 12 August   |
| Christie, Henry        | 300                 | Craven County     | do.         |
| Cleland, John          | 312                 | do.               | 13 July     |
| do.                    | 810                 | do.               | do.         |
| do.                    | 500                 | do.               | do.         |
| do.                    | 800                 | do.               | do.         |
| do.                    | 868                 | do.               | do.         |
| Clerk, William         | 450                 | do.               | 12 August   |
| Coachman, Benjamin     | 350                 | Craven County     | 12 August   |
| Coachman, James        | 400                 | Berkley County    | 13 July     |
| Cochran, John          | 300                 | Craven County     | 12 August   |
| Colleton, John         | 35                  | Berkley County    | 13 July     |
| do.                    | 289                 | Santee River      | do.         |
| Copeland, Hugh         | 300                 | Craven County     | 12 August   |
| Cottino, Andrew        | 400                 | Pedee River       | 17 February |
| Crauford, Daniel       | 776                 | Granville County  | 13 July     |
| Crawl, Ann             | 650                 | Colleton County   | 12 August   |
| Dean, Daniel           | 209                 | Berkley County    | 13 July     |
| Dechamp, Francis       | 291                 | do.               | 12 August   |
| Delas, James           | 300                 | Granville County  | 29 June     |
| De St. Julien, James   | 500                 | Santee River      | 13 July     |
| Deveaux, Andrew        | 1350                | Saltcatcher River | do.         |
| Dick, John             | 400                 | Craven County     | 5 February  |
| Drake, Jonathan        | 500                 | Wacawmaw River    | 12 August   |
| Drake, William         | 677                 | Santee River      | 17 February |
| Dry, William           | 19                  | Berkley County    | 12 February |
| Dupont, Abraham        | 500                 | do.               | 13 July     |
| Dupont, Gideon         | 160                 | do.               | 12 August   |
| do.                    | 140                 | do.               | do.         |
| do.                    | 100                 | do.               | 13 August   |
| Dupre, Cornelius       | 800                 | do.               | 13 July     |
| do.                    | 183                 | do.               | 12 August   |
| do.                    | 400                 | do.               | do.         |
| Eldridge, Jane         | 600                 | Craven County     | do.         |
| Elizard, Abraham       | 800                 | Granville County  | 29 June     |
| Elliott, Barnard       | 600                 | Colleton County   | 13 July     |
| Elliott, Thomas        | 500                 | Pon Pon River     | do.         |
| do.                    | 500                 | Craven County     | do.         |
| do.                    | 575                 | Granville County  | 12 August   |
| Elliott, William, jnr. | 730                 | Colleton County   | 13 July     |
| Ellis, Gedion          | 500                 | Black River       | do.         |
| Evant, John            | 700                 | do.               | 12 August   |
| Fairchild, John        | 400                 | Berkley County    | 13 July     |
| Finley, Francis        | 500                 | Craven County     | do.         |
| Fishburn, William      | 1400                | Granville County  | do.         |
| Fitch, Constant        | 840                 | Colleton County   | 12 August   |
| Fitch, Jonathan        | 844                 | do.               | do.         |
| Fladger, Robert        | 700                 | Craven County     | 12 February |
| Fleming, Thomas        | 650                 | do.               | 12 August   |

| <i>Grantee</i>                                 | <i>No. of Acres</i> | <i>Place</i>           | <i>Date</i> |
|--|---------------------|------------------------|-------------|
| Fountain, John                                 | 150                 | Granville County       | 6 October   |
| Fox, Henry                                     | 650                 | Craven County          | 17 December |
| Gardner, William                               | 300                 | do.                    | 13 July     |
| Glazenbrook, Ruth                              | 418                 | do.                    | 12 August   |
| Gleadow, Mary                                  | 100                 | do.                    | do.         |
| Glover, John                                   | 400                 | Berkley County         | do.         |
| Goddard, Capt. Francis                         | 1700                | Craven County          | 12 February |
| Godin, Benjamin                                | 480                 | Colleton County        | 29 June     |
| Gray, William                                  | 147                 | do.                    | 13 July     |
| Green, John                                    | 300                 | Craven County          | 12 August   |
| do.  | 140                 | do.                    | 13 July     |
| Hall, Richard                                  | 200                 | do.                    | do.         |
| do.  | 800                 | do.                    | do.         |
| Hall, Robert                                   | 1500                | do.                    | do.         |
| Hamlin, George                                 | 800                 | Berkley County         | do.         |
| Hendricks, Timothy                             | 850                 | Granville County       | 12 August   |
| Henley, Daniel                                 | 500                 | Craven County          | 11 May      |
| Hext, Edward                                   | 250                 | do.                    | 13 July     |
| do.  | 1000                | do.                    | do.         |
| Hill, Richard                                  | 700                 | Black River            | do.         |
| Holliday, Giles                                | 500                 | Queensborough township | do.         |
| Horr, Robert                                   | 300                 | Craven County          | 12 August   |
| Howard, Edward                                 | 618                 | do.                    | do.         |
| Huggins, John                                  | 1200                | Black River            | do.         |
| Huggins, Josheph                               | 300                 | Santee River           | do.         |
| Hunter, George                                 | 800                 | Granville County       | 29 June     |
| Hurst, Joshep                                  | 1000                | Craven County          | 13 July     |
| Hutchinson, John                               | 2100                | do.                    | 12 August   |
| Izard, Walter                                  | 4000                | Pedee River            | 9 February  |
| do.  | 270                 | Granville County       | 6 June      |
| Jackson, John                                  | 320                 | Colleton County        | 12 August   |
| Jackson, Samuel                                | 200                 | Little River           | do.         |
| Jean, Michael                                  | 550                 | Wacawmaw River         | 13 July     |
| do.  | 550                 | do.                    | do.         |
| Jenkins, Thomas                                | 500                 | Craven County          | do.         |
| Johnson, Peter                                 | 1300                | do.                    | do.         |
| Johnson, Sarah                                 | 520                 | do.                    | 5 February  |
| Kinloch, James                                 | 2200                | Craven County          | 13 July     |
| do.  | 193                 | Savannah River         | do.         |
| do.  | 3249                | Craven County          | 5 July      |
| Lawrence, James                                | 500                 | do.                    | 17 February |
| Lea, George                                    | 650                 | do.                    | 13 July     |
| Le Bas, James                                  | 200                 | Berkley County         | 14 February |
| Lewis, Maurice                                 | 500                 | Queensborough township | 13 July     |
| Livingston, William <i>see</i><br>Ash, Richard |                     |                        |             |
| McCaw, John                                    | 200                 | Colleton River         | 12 August   |
| McClelland, Andrew                             | 750                 | Craven County          | do.         |
| McGers, James                                  | 150                 | do.                    | 8 October   |



| <i>Grantee</i>             | <i>No. of Acres</i> | <i>Place</i>         | <i>Date</i> |
|----------------------------|---------------------|----------------------|-------------|
| McGilveray, Martha         | 400                 | Savannah River       | 12 August   |
| McKay, Patrick             | 360                 | Granville County     | do.         |
| do.                        | 800                 | do.                  | do.         |
| do.                        | 800                 | do.                  | do.         |
| do.                        | 2100                | do.                  | do.         |
| McMullen, William          | 200                 | Savannah River       | do.         |
| Mallone, Richard           | 500                 | Craven County        | do.         |
| Marion, Peter              | 1500                | Berkley County       | 13 July     |
| do.                        | 450                 | do.                  | 12 April    |
| Martin, Jacob              | 2200                | Colleton County      | 13 July     |
| Martin, James              | 800                 | Craven County        | do.         |
| Massey, Philip             | 500                 | do.                  | 12 August   |
| Masters, Samuel            | 245                 | do.                  | do.         |
| do.                        | 184                 | Little River         | do.         |
| do.                        | 300                 | Craven County        | 13 July     |
| Maxwell, James             | 510                 | Pedee River          | 12 August   |
| Meyer, Frederick           | 108                 | Granville County     | do.         |
| do.                        | 94                  | do.                  | do.         |
| Michael, Ephraim           | 300                 | do.                  | do.         |
| Michie, James              | 1500                | Purrysburgh township | do.         |
| Mongain, David and Francis | 600                 | Granville County     | do.         |
| Middleton, Thomas          | 650                 | Berkley County       | do.         |
| Millchamp, Timothy         | 1000                | Craven County        | 5 May       |
| Monk, Thomas               | 500                 | do.                  | 2 February  |
| do.                        | 500                 | do.                  | do.         |
| Moore, James               | 600                 | Berkley County       | 12 August   |
| Moore, Roger               | 62½                 | do.                  | do.         |
| Morall, William            | 800                 | Craven County        | do.         |
| Moultrie, John             | 400                 | Berkley County       | do.         |
| Musgrove, John             | 300                 | Wacawmaw River       | 5 July      |
| do.                        | 500                 | do.                  | do.         |
| do.                        | 400                 | do.                  | do.         |
| Neal, Francis              | 300                 | Craven County        | 13 July     |
| Nesbett, Alexander         | 300                 | do.                  | 12 August   |
| do.                        | 600                 | do.                  | do.         |
| do.                        | 280                 | do.                  | do.         |
| Newman, Robert             | 78                  | do.                  | 12 July     |
| Newman, William            | 100                 | do.                  | do.         |
| Nicholas, George           | 902                 | do.                  | 12 August   |
| Nicholas, Isaac            | 246                 | Colleton County      | 12 August   |
| Nichols, Stephen           | 670                 | do.                  | 10 April    |
| Nisbit, <i>see</i> Nesbett |                     |                      |             |
| Norman, Moses              | 735                 | do.                  | 13 July     |
| O'Brian, Kennedy           | 158                 | Savannah River       | do.         |
| Ouldfield, John, senr.     | 300                 | Berkley County       | do.         |
| do.                        | 367                 | Craven County        | do.         |
| Owen, John                 | 900                 | do.                  | do.         |
| Pamor, Elizabeth           | 352                 | do.                  | 12 July     |
| Pauley, George             | 556                 | Pedee River          | 12 August   |

| <i>Grantee</i>         | <i>No. of Acres</i> | <i>Place</i>           | <i>Date</i> |
|------------------------|---------------------|------------------------|-------------|
| Pauley, George         | 160                 | Craven County          | 12 July     |
| do.                    | 225                 | Wacawmaw River         | 13 July     |
| Peters, Phebe          | 1400                | Craven County          | do.         |
| Peters, William        | 184                 | Colleton County        | do.         |
| Peyre, Judith          | 1100                | Craven County          | 12 August   |
| Piercy, Hugh           | a lot               | Orangeborough township | 8 October   |
| do.                    | 850                 | Berkley County         | do.         |
| Pinkney, William       | 564                 | Colleton County        | 13 July     |
| Poole, William         | 500                 | Little Pedee River     | do.         |
| Pott, William          | 200                 | Craven County          | do.         |
| Potts, Thomas          | 270                 | do.                    | 18 February |
| Poyis, John Lewis      | 300                 | Granville County       | 13 July     |
| Prioleau, Samuel       | 3250                | do.                    | 12 August   |
| Read, John, senr.      | 500                 | Craven County          | 13 July     |
| Read, John, junr.      | 676                 | Wacawmaw River         | 12 August   |
| Robert, Peter          | 980                 | Craven County          | do.         |
| Robinson, Joseph       | 400                 | do.                    | 13 August   |
| Roche, Jordan          | 1000                | Little Pedee River     | 13 July     |
| Roper, Joseph          | 200                 | Craven County          | 12 August   |
| Rothmahler, Job        | 500                 | Cooper River           | 13 July     |
| Roulain, James         | 500                 | Saltcatcher River      | 13 July     |
| Salter, John           | 500                 | Craven County          | do.         |
| Sauter, Abraham        | 156                 | do.                    | 13 August   |
| Saunders, Lawrence     | 500                 | Granville County       | 13 July     |
| Saunders, Roger        | 447                 | Colleton County        | do.         |
| Saunders, William      | 710                 | Berkley County         | 12 August   |
| do.                    | 200                 | do.                    | do.         |
| Screven, Elisha        | 300                 | Black River            | do.         |
| Serre, Noah            | 500                 | Craven County          | 13 July     |
| Shackeford, William    | 29                  | do.                    | 10 July     |
| Simmons, Thomas, junr. | 300                 | do.                    | 13 July     |
| Skene, Alexander       | 1370                | Craven County          | 17 February |
| do.                    | 730                 | do.                    | do.         |
| do.                    | 2500                | Pedee River            | do.         |
| do.                    | 1000                | Craven County          | do.         |
| do.                    | 2171                | do.                    | do.         |
| do.                    | 2279                | do.                    | do.         |
| Smith, Alexander       | 700                 | Berkley County         | 13 July     |
| Smith, Emanuel         | 265                 | Craven County          | 12 August   |
| Smith, William         | 500                 | Berkley County         | 13 July     |
| Snow, William          | 300                 | Craven County          | do.         |
| Snowden, Joshua        | 200                 | Savannah River         | 12 August   |
| Stevens, William       | 450                 | Pedee River            | do.         |
| Stevenson, Mary        | 600                 | Edestoe River          | 13 July     |
| Stobo, Archibald       | 900                 | Savannah River         | do.         |
| Taylor, Peter          | 1100                | Berkley County         | 12 August   |
| Thomas, Jonathan       | 182                 | Colleton County        | 13 July     |
| Thompson, James        | 450                 | Granville County       | 12 August   |
| Thomson, John          | 575                 | Craven County          | 13 July     |



| <i>Grantee</i>        | <i>No. of Acres</i> | <i>Place</i>           | <i>Date</i> |
|-----------------------|---------------------|------------------------|-------------|
| Thomson, John, junr.  | 50                  | Black River            | 13 July     |
| Toor, Catherine       | 450                 | Wacawmaw River         | do.         |
| Touly, John           | 400                 | Craven County          | 17 February |
| Vanvelson, Garrett    | 420                 | Berkley County         | 12 August   |
| Verdity, Elizabeth    | 331                 | do.                    | 13 July     |
| Vernezobre, Daniel    | 2000                | Craven County          | 29 June     |
| Waring, Richard       | 800                 | do.                    | 6 June      |
| Waring, Thomas        | 3300                | do.                    | do.         |
| Waties, William       | 80                  | Pedee River            | 12 July     |
| do.                   | 400                 | do.                    | 5 February  |
| Wedderburn, James     | 1000                | Craven County          | 12 February |
| Wells, Allen          | 1200                | do.                    | 5 February  |
| Whippy, William       | 750                 | Granville County       | 11 May      |
| Wilkins, William      | 51                  | Colleton County        | 12 August   |
| Williams, Samuel      | 300                 | do.                    | 13 July     |
| Wilson, Wilson        | 100                 | Queensborough township | 12 August   |
| Wright, Charles       | 600                 | Pedee River            | 17 February |
| Wright, James         | 1000                | Craven County          | 13 July     |
| Wright, Jermyn        | 500                 | Granville County       | 17 February |
| Wright, Robert, junr. | 470                 | Berkley County         | 13 July     |
| York, Catherine       | 300                 | Santee River           | 12 August   |

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## Appendix II

## THE TRUSTEES OF GEORGIA

To avoid repetition, the names of persons attending meetings of the Common Council of Georgia and meetings of the Trustees of Georgia have been omitted from the text of the Calendar. A consolidated list of attendances is given below. The references are to the numbers of the entries in the present volume under which the minutes of meetings are calendared. A number in bold type denotes that the Common Councillor or Trustee presided over that meeting.

## COMMON COUNCIL

Archer, Thomas, 252, 256.  
 Bundy, Revd. Dr. Richard, 196, **281**, 439, 513, 611.  
 Carpenter, George, Lord, 10, 26, 118, 187, 220, 329, **383**, 513, 586.  
 Cater, Robert, 62.  
 Chandler, Richard, 439.  
 Cooper, Anthony Ashley, Earl of Shaftesbury, 157, 252, 256, 281, 329, 513.  
 Digby, Edward, 62, 256.  
 Eyles, Capt. 118.  
 Eyre, Robert, 187, 196, 439, 611.  
 Hales, Revd. Dr. Stephen, 10, **62**, 118, 187, 439, 513, **586**, 611.  
 Heathcote, Ald. George, 26, 62, 157, 196, 252, 281, 439.  
 Heathcote, Sir William, 26, 62, 196, 220, 252, **256**, 281, 383, 439, 513, 611.  
 Holland, Roger, 118, 157, 187, **196**, 252, 256, 281, 329, 383, 586, 611.  
 Hucks, Robert, 10, 62.  
 L'Apostre, Henry, 10, 26, 62, 187, 220, **252**, 256, 281, 329, 383, 513, 586, **611**.  
 Laroche, John, 10, **26**, 62, 118, 157, 187, 220, 252, 256, 281, 329, 383, 586, 611.  
 Oglethorpe, James, 10, 26, 118, 157, 187, 196, 220, 256, 281, 329, **439**, 513, 586, 611.  
 Perceval, John, Earl of Egmont, 26, 62, **118**, 157, 187, 220, 252, 256, 281, **329**, 383, 439, 513, 586, 611.  
 Sloper, William, 157.  
 Talbot, William, Lord, 220, 383.  
 Tower, Thomas, 10, 118, 157, **187**.  
 Tyrconnel, John, Viscount, 10, 26, 62, 187, 196, **220**.  
 Vernon, James, 10, 118, 157, 196, 256, 281, 329, **383**, 439, **513**, 586, 611.

## TRUSTEES

Anderson, Adam, 11, 63, 106, 119, 138, 151, 188, 282, 316, 342, 359, 372, 384, 396, **440**, 485, 612, 653.  
 Archer, Henry, 63, 587.  
 Archer, Thomas, 63, 161, 188, 195, 253.  
 Bedford, Arthur, 11, 63, 119, 151, 188, 330, 431.  
 Belitha, William, 11, 119, 151.



TRUSTEES (*continued*)

- Bundy, Revd. Dr. Richard, 11, 49, 195, 282, 440, 514, 612.  
 Burton, Revd. John, 49, 63, 151, 253, 342.  
 Carpenter, George, Lord, 11, 27, 119, 151, 215, 221, 330, 359, 372, 384, 476, 485, 514, 568, 576, 587, 644.  
 Cater, Robert, 63.  
 Chandler, Richard, 423, 431, 440.  
 Cooper, Anthony Ashley, Earl of Shaftesbury, 40, 63, 138, 195, 199, 253, 342, 514.  
 Des Bouverie, Sir Jacob, 188.  
 Digby, Edward, 63, 231.  
 Eyre, Robert, 161, 195, 293, 423, 431, 440, 500, 612.  
 Hales, Revd. Dr. Stephen, 11, 63, 119, 138, 151, 188, 372, 396, 423, 431, 440, 485, 509, 514, 576, 587, 612.  
 Heathcote, Ald. George, 27, 63, 138, 195, 440, 485.  
 Heathcote, Sir William, 27, 63, 161, 195, 215, 221, 231, 253, 263, 282, 384, 431, 440, 460, 476, 514, 612, 644.  
 Holland, Roger, 106, 119, 151, 188, 195, 199, 253, 263, 272, 293, 330, 396, 411, 568, 587, 612, 644.  
 Hucks, Robert, 11, 63, 151, 195, 476, 587, 612.  
 L'Apostre, Henry, 27, 40, 49, 63, 106, 188, 199, 215, 221, 253, 263, 282, 316, 330, 342, 359, 372, 384, 396, 411, 460, 476, 485, 500, 509, 514, 542, 568, 576, 587, 612.  
 Laroche, John, 11, 27, 49, 63, 106, 151, 188, 195, 199, 253, 330, 359, 384, 411, 423, 460, 476, 576, 644.  
 Limerick, John, Viscount, 63, 119, 138, 195, 221.  
 Oglethorpe, John, 11, 27, 40, 49, 63, 106, 119, 151, 188, 195, 199, 215, 263, 272, 359, 372, 411, 431, 440, 476, 500, 509, 514, 542, 576, 587, 612, 644, 653.  
 Page, John, 27, 384.  
 Perceval, John, Earl of Egmont, 11, 27, 40, 49, 63, 106, 119, 151, 161, 188, 199, 215, 221, 231, 253, 263, 272, 282, 316, 330, 342, 359, 372, 384, 396, 411, 423, 431, 440, 460, 476, 485, 500, 509, 514, 542, 568, 576, 587, 612, 644.  
 Smith, Revd. Samuel, 11, 27, 63, 106, 119, 151, 188, 231, 263, 282, 316, 359, 396, 423, 440, 460, 500, 542, 568, 587, 612, 644, 653.  
 Talbot, William, Lord, 63, 161, 195, 221, 384.  
 Tower, Thomas, 11, 40, 49, 119, 188, 500.  
 Tracy, Robert, 63.  
 Tyrconnel, John, Viscount, 11, 27, 49, 63, 151, 195, 215, 221, 231, 359.  
 Vernon, James, 11, 27, 40, 106, 119, 161, 195, 199, 263, 272, 293, 316, 330, 372, 384, 396, 411, 423, 431, 440, 460, 509, 514, 542, 568, 576, 587, 612.  
 White, John, 27, 63, 106, 151, 195, 253.

# Appendix III

## NAVAL OFFICERS' LISTS OF SHIPPING

Naval Officers' lists of shipping have survived for some, but not for all, British colonies. These were intended to be a record of all ships entering and clearing from British ports in America and the West Indies. They register: date of entry, name of ship and home-port or colony, name of master, kind of ship (schooner, snow, etc.), number of tons, number of guns, number of men, where and when built, where and when registered, particulars of cargo, port or colony whither or whence bound, where and when bond given.

The following table summarizes the entries of ships inwards and outwards and their tonnage for the year 1737. Under the heading *British North America* are included entries referring to Newfoundland and Nova Scotia; under *British West Indies*, Bermuda; under *Europe*, the countries of the Continent; and under *Others*, Africa, the Canaries, Madeira, Danish, Dutch, French, Spanish and Portuguese American and West Indian colonies.

| Colony and Port                              | Period      | British North America |         | British W. Indies incl. Bermuda |         | British Isles incl. Ireland |         | Europe |         | Others |         | Total |         |
|--|-------------|-----------------------|---------|---------------------------------|---------|-----------------------------|---------|--------|---------|--------|---------|-------|---------|
|  |             | Ships                 | Tonnage | Ships                           | Tonnage | Ships                       | Tonnage | Ships  | Tonnage | Ships  | Tonnage | Ships | Tonnage |
| BAHAMAS<br>(New Providence)<br>[C.O. 27, 12] | 1st quarter | IN                    | 9       | 145                             | 3       | 52                          | —       | —      | —       | 1      | 30      | 13    | 227     |
|  | " "         | OUT                   | 11      | 205                             | 4       | 49                          | —       | —      | —       | —      | —       | 15    | 254     |
|  | 2nd quarter | IN                    | 15      | 321                             | 6       | 84                          | —       | —      | —       | —      | —       | 21    | 405     |
|  | " "         | OUT                   | 11      | 200                             | 3       | 85                          | —       | —      | —       | —      | —       | 14    | 285     |
|  | 3rd quarter | IN                    | 7       | 151                             | 2       | 40                          | —       | —      | —       | —      | —       | 9     | 191     |
|  | " "         | OUT                   | 10      | 222                             | 6       | 92                          | —       | —      | —       | —      | —       | 16    | 314     |
| BARBADOS<br>[CO. 33, 16]                     | 4th quarter | IN                    | 6       | 128                             | 3       | 47                          | —       | —      | —       | —      | —       | 9     | 175     |
|  | " "         | OUT                   | 7       | 146                             | 2       | 24                          | —       | —      | —       | —      | —       | 9     | 170     |
|  | 1st quarter | IN                    | 39      | 1669                            | 3       | 43                          | 16      | 1110   | 6       | 375    | 794     | 78    | 3991    |
|  | " "         | OUT                   | 28      | 1288                            | 8       | 249                         | —       | —      | —       | 8      | 393     | 44    | 1930    |
|  | 2nd quarter | IN                    | 44      | 1996                            | 10      | 266                         | 32      | 2745   | 2       | 280    | 781     | 102   | 6068    |
|  | " "         | OUT                   | 35      | 1446                            | 8       | 230                         | 6       | 445    | —       | —      | —       | 49    | 2121    |
|  | 3rd quarter | IN                    | 39      | 1810                            | 5       | 119                         | 9       | 580    | 3       | 250    | 280     | 63    | 3039    |
|  | " "         | OUT                   | 38      | 1915                            | 6       | 235                         | 4       | 170    | —       | —      | 170     | 52    | 2490    |
|  | 4th quarter | IN                    | 42      | 1900                            | 9       | 269                         | 12      | 560    | 1       | 50     | 468     | 72    | 3247    |
|  | " "         | OUT                   | 29      | 1275                            | 9       | 385                         | 1       | 45     | —       | —      | 73      | 43    | 1778    |



| Colony and Port                                  | Period      | British North America |         | British W. Indies incl. Bermuda |         | British Isles incl. Ireland |         | Europe |         | Others |         | Total |      |      |
|--|-------------|-----------------------|---------|---------------------------------|---------|-----------------------------|---------|--------|---------|--------|---------|-------|------|------|
|  |             | Ships                 | Tonnage | Ships                           | Tonnage | Ships                       | Tonnage | Ships  | Tonnage | Ships  | Tonnage |       |      |      |
| BERMUDA<br>[C.O. 41, 6]                          | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 20      | 559                             | 12      | 335                         | —       | —      | —       | 7      | 183     | 39    | 1077 |      |
|  | " "         | OUT                   | 13      | 410                             | 23      | 546                         | —       | —      | —       | 2      | 60      | 38    | 1016 |      |
|  | 3rd quarter | IN                    | 14      | 357                             | 9       | 222                         | —       | —      | —       | 7      | 210     | 30    | 789  |      |
|  | " "         | OUT                   | 17      | 492                             | 34      | 767                         | 2       | 75     | 1       | 45     | —       | 54    | 1379 |      |
| NEW JERSEY<br>(Bridlington)<br>[C.O. 5, 1038]    | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 1       | 35                              | —       | —                           | —       | —      | —       | —      | —       | 1     | 35   |      |
|  | " "         | OUT                   | 1       | 35                              | —       | —                           | —       | —      | —       | —      | —       | 1     | 35   |      |
|  | 3rd quarter | IN                    | —       | —                               | —       | —                           | —       | —      | —       | —      | —       | —     | —    |      |
|  | " "         | OUT                   | 1       | 20                              | —       | —                           | 1       | 20     | —       | —      | —       | 1     | 20   |      |
| NEW YORK<br>(Port of New York)<br>[C.O. 5, 1225] | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | " "         | OUT                   | 33      | 894                             | 14      | 530                         | —       | —      | 8       | 620    | 18      | 738   | 73   | 2782 |
| SOUTH CAROLINA<br>(Charleston)<br>[C.O. 5, 510]  | 1st quarter | IN                    |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | " "         | OUT                   |         |                                 |         |                             |         |        |         |        |         |       |      |      |
|  | 2nd quarter | IN                    | 21      | 444                             | 19      | 534                         | 12      | 935    | 2       | 135    | 17      | 567   | 71   | 2615 |
|  | " "         | OUT                   | 27      | 785                             | 24      | 665                         | 3       | 330    | 5       | 230    | 10      | 345   | 69   | 2353 |
|  | 3rd quarter | IN                    | 30      | 780                             | 24      | 968                         | 9       | 711    | 2       | 140    | 19      | 768   | 84   | 3367 |
|  | "           |                       |         |                                 |         |                             |         |        |         |        |         |       |      |      |

<sup>1</sup> Tonnage of one ship not stated

| Colony and Port   | Period      | British North America |         | British W. Indies incl. Bermuda |         | British Isles incl. Ireland |  | Europe |         | Others |         | Total |         |
|---|-------------|-----------------------|---------|---------------------------------|---------|-----------------------------|--|--------|---------|--------|---------|-------|---------|
|   |             | Ships                 | Tonnage | Ships                           | Tonnage | Ships                       | Tonnage                                | Ships  | Tonnage | Ships  | Tonnage | Ships | Tonnage |
| SOUTH CAROLINA <i>cont.</i><br>(Georgetown)<br>[C.O. 5, 510]  | 3rd quarter | IN                    | 1       | 20                              | 1       | 20                          | —                                      | —      | —       | —      | —       | 2     | 40      |
|   | "           | OUT                   | 1       | 20                              | 1       | 50                          | —                                      | —      | —       | —      | —       | 2     | 70      |
|   | "           |                       |         |                                 |         |                             | No surviving record for other quarters |        |         |        |         |       |         |
|   | 4th quarter | IN                    | 2       | 52                              | —       | —                           | 1                                      | 100    | 1       | 60     | —       | 4     | 212     |
| (Winyaw)<br>[C.O. 5, 510]                                     | "           | OUT                   | 2       | 52                              | 1       | 20                          | —                                      | —      | —       | —      | —       | 3     | 72      |
| VIRGINIA<br>(James River<br>Upper District)<br>[C.O. 5, 1446] | 1st quarter | IN                    | 2       | 145                             | 2       | 46                          | 3                                      | 290    | —       | —      | —       | 7     | 481     |
|   | "           | OUT                   | 4       | 165                             | 8       | 255                         | 2                                      | 180    | —       | —      | —       | 16    | 720     |
|   | 2nd quarter | IN                    | 8       | 910                             | —       | —                           | 12                                     | 1195   | —       | —      | —       | 21    | 2155    |
|   | "           | OUT                   | 3       | 90                              | 4       | 119                         | 4                                      | 640    | —       | 1      | 50      | 35    | 884     |
|   | 3rd quarter | IN                    | 4       | 185                             | 1       | 16                          | 5                                      | 470    | —       | —      | —       | 10    | 671     |
|   | "           | OUT                   | 1       | 80                              | 2       | 75                          | 19                                     | 2210   | —       | —      | —       | 22    | 2365    |
|   | 4th quarter | IN                    | 9       | 330                             | 1       | 50                          | 1                                      | 60     | —       | —      | —       | 11    | 440     |
| "   | "           | OUT                   | 3       | 85                              | 2       | 46                          | 3                                      | 280    | —       | —      | —       | 8     | 411     |
| (Port Hampton)<br>[C.O. 5, 1446]                              | 1st quarter | IN                    | 5       | 170                             | 11      | 388                         | 4                                      | 600    | —       | —      | —       | 21    | 1183    |
|   | "           | OUT                   | 5       | 99                              | 23      | 711                         | 1                                      | 60     | —       | 1      | 25      | 35    | 1072    |
|   | 2nd quarter | IN                    | 5       | 112                             | 22      | 797                         | 7                                      | 974    | 1       | 60     | 142     | 36    | 1968    |
|   | "           | OUT                   | 8       | 210                             | 15      | 454                         | 2                                      | 320    | —       | —      | 85      | 27    | 1139    |
|   | 3rd quarter | IN                    | 3       | 65                              | 5       | 171                         | —                                      | —      | —       | —      | 155     | 8     | 236     |
| (Rappahannock)<br>[C.O. 5, 1444]                              | "           | OUT                   | 3       | 100                             | 5       | 145                         | 3                                      | 270    | 1       | 60     | —       | 12    | 575     |
|   | 4th quarter | IN                    | 9       | 257                             | 22      | 974                         | 2                                      | 270    | —       | —      | —       | 34    | 1541    |
|   | "           | OUT                   | 5       | 124                             | 6       | 237                         | 3                                      | 205    | —       | —      | 40      | 14    | 566     |
|   | 1st quarter | IN                    | 1       | 30                              | 2       | 55                          | 3                                      | 510    | —       | —      | —       | 6     | 595     |
|   | "           | OUT                   | 1       | 35                              | 5       | 125                         | 1                                      | 40     | —       | —      | —       | 7     | 200     |
| (Rappahannock)<br>[C.O. 5, 1444]                              | 2nd quarter | IN                    | 2       | 25                              | 4       | 340                         | 18                                     | 1900   | —       | —      | —       | 26    | 2415    |
|   | "           | OUT                   | 3       | 55                              | 1       | 25                          | 5                                      | 435    | —       | —      | 150     | 9     | 515     |
|   | 3rd quarter | IN                    | 1       | 50                              | —       | —                           | 3                                      | 205    | —       | —      | 160     | 5     | 415     |
|   | "           | OUT                   | 1       | 130                             | —       | —                           | 28                                     | 2768   | —       | —      | —       | 29    | 2898    |
| (Rappahannock)<br>[C.O. 5, 1444]                              | 4th quarter | IN                    | —       | —                               | —       | —                           | —                                      | —      | —       | —      | —       | —     | —       |
|   | "           | OUT                   | 1       | 160                             | —       | —                           | 2                                      | 180    | —       | —      | —       | 3     | 340     |



| Colony and Port                                     | Period      | British North America |         | British W. Indies incl. Bermuda |         | British Isles incl. Ireland |         | Europe |         | Others |         | Total |         |
|---|-------------|-----------------------|---------|---------------------------------|---------|-----------------------------|---------|--------|---------|--------|---------|-------|---------|
|   |             | Ships                 | Tonnage | Ships                           | Tonnage | Ships                       | Tonnage | Ships  | Tonnage | Ships  | Tonnage | Ships | Tonnage |
| VIRGINIA cont.<br>(South Potomac)<br>[C.O. 5, 1445] | 1st quarter | IN                    | 5       | 290                             | —       | —                           | 1       | 120    | —       | —      | —       | 6     | 410     |
|   | "           | OUT                   | 4       | 140                             | 4       | —                           | 2       | 110    | —       | 1      | 50      | 11    | 405     |
|   | 2nd quarter | IN                    | 4       | 148                             | —       | —                           | 9       | 615    | —       | —      | —       | 13    | 763     |
|   | "           | OUT                   | 4       | 113                             | —       | —                           | 4       | 430    | —       | —      | —       | 8     | 543     |
|   | 3rd quarter | IN                    | 3       | 225                             | 1       | 25                          | 6       | 475    | —       | 3      | 180     | 13    | 905     |
|   | "           | OUT                   | 3       | 75                              | —       | —                           | 13      | 890    | —       | —      | —       | 16    | 965     |
|   | 4th quarter | IN                    | 2       | 57                              | —       | —                           | 1       | 40     | —       | —      | —       | 3     | 97      |
|   | "           | OUT                   | 1       | 50                              | —       | —                           | 7       | 595    | —       | —      | —       | 8     | 645     |
| (York River)<br>[C.O. 5, 1444]                      | 1st quarter | IN                    | 1       | 35                              | —       | —                           | 14      | 2015   | —       | —      | 245     | 17    | 2295    |
|   | "           | OUT                   | 4       | 113                             | 4       | 125                         | 3       | 440    | —       | —      | —       | 11    | 678     |
|   | 2nd quarter | IN                    | 1       | 10                              | 3       | 83                          | 13      | 1785   | —       | 2      | 270     | 19    | 2148    |
|   | "           | OUT                   | 4       | 288                             | —       | —                           | 11      | 1310   | —       | 1      | 40      | 16    | 1638    |
|   | 3rd quarter | IN                    | —       | —                               | 1       | 25                          | 2       | 105    | 1       | 2      | 170     | 6     | 450     |
|   | "           | OUT                   | 1       | 45                              | 2       | 65                          | 18      | 2515   | —       | —      | —       | 21    | 2625    |
|   | 4th quarter | IN                    | 2       | 180                             | 5       | 155                         | 5       | 535    | —       | 1      | 200     | 13    | 1070    |
|   | "           | OUT                   | 1       | 20                              | 2       | 60                          | 5       | 695    | —       | —      | —       | 8     | 775     |

1891

1892

1893

1894

1895

1896

1897

1898

1899

1900



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GENERAL INDEX

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CHAPMAN & CO.



## NOTE ON THE INDEX

### *Abbreviations*

Generally recognized abbreviations (govr., R.N., etc.) are used in this index. In addition, the following abbreviations occur:

- B.W.I.: British West Indies
- comdr.: commander
- commnr.: commissioner
- cllr.: councillor
- Council of T. and P.: Council of Trade and Plantations
- dep.: deputy
- F.W.I.: French West Indies
- g.: grantee of land in South Carolina
- Ga.: Georgia
- Georgia Soc.: Georgia Society
- L.I.: Leeward Islands
- m.: one of the signatories of the petition of 13 October 1737 (No. 540), collectively described as 'merchants and planters in behalf of themselves and others trading to and interested in the British colonies in America'
- Mass.: Massachusetts
- N.C.: North Carolina
- N.F.L.: Newfoundland
- N.J.: New Jersey
- N. Scotia: Nova Scotia
- N.Y.: New York (colony)
- Pa.: Pennsylvania
- pres.: president
- R.I.: Rhode Island
- S.C.: South Carolina
- spkr.: speaker
- Va.: Virginia
- W.I.: West Indies

### *Subjects*

The following are the principal subject-headings in the index:

|                  |               |
|------------------|---------------|
| AGRICULTURE      | NAVAL MATTERS |
| FISHERIES        | SHIPS         |
| IMMIGRATION      | SLAVES        |
| INDIANS          | SUGAR         |
| INDUSTRY         | TOBACCO       |
| LAND GRANTS      | TRADE         |
| MILITARY MATTERS |               |

In most cases these headings direct the user to the colonies etc. where references will be found.

The colony being for almost all purposes the administrative unit of the empire, *most of the subject-indexing will be found under the individual colonies.* Subject sub-headings for the colonies are:

|                   |                            |
|-------------------|----------------------------|
| ACTS              | INDUSTRY                   |
| AGRICULTURE       | JUDICIAL MATTERS           |
| ASSEMBLY          | LAND GRANTS                |
| COUNCIL           | MILITARY AND NAVAL MATTERS |
| FINANCIAL MATTERS | OFFICERS                   |
| FOREIGN RELATIONS | SLAVES                     |
| IMMIGRATION       | TRADE                      |
| INDIANS           |                            |

In practice, not every colony supplies material under each of these sub-heads. But the abstracts referring to each colony have been searched for such material; so that the absence under Barbados of a sub-heading Land Grants denotes that, in the opinion of the indexer, the volume contains no material bearing on this subject.

*Colonies and the British Government*

The institutions and officials chiefly concerned with the administration of the colonies appear in the index in the following forms:

COUNCIL OF TRADE AND PLANTATIONS

FANE, FRANCIS, legal adviser to Council of Trade and Plantations

HILL, THOMAS, secretary of Council of Trade and Plantations

PELHAM HOLLES, THOMAS, Duke of Newcastle, Secretary of State

POPPLER, ALURED, secretary of Council of Trade and Plantations

PRIVY COUNCIL

PRIVY COUNCIL, COMMITTEE OF, FOR PLANTATION AFFAIRS

Relevant matter under each of these heads has been arranged *by colonies.* Thus all papers coming to or going from the Council of Trade and Plantations relating, for example, to Massachusetts are indexed under:

COUNCIL OF TRADE AND PLANTATIONS,

proceedings of, concerning

MASSACHUSETTS

By consulting all the seven headings given above, a complete picture of the official business of the British Government relating to a particular colony should be obtained.



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